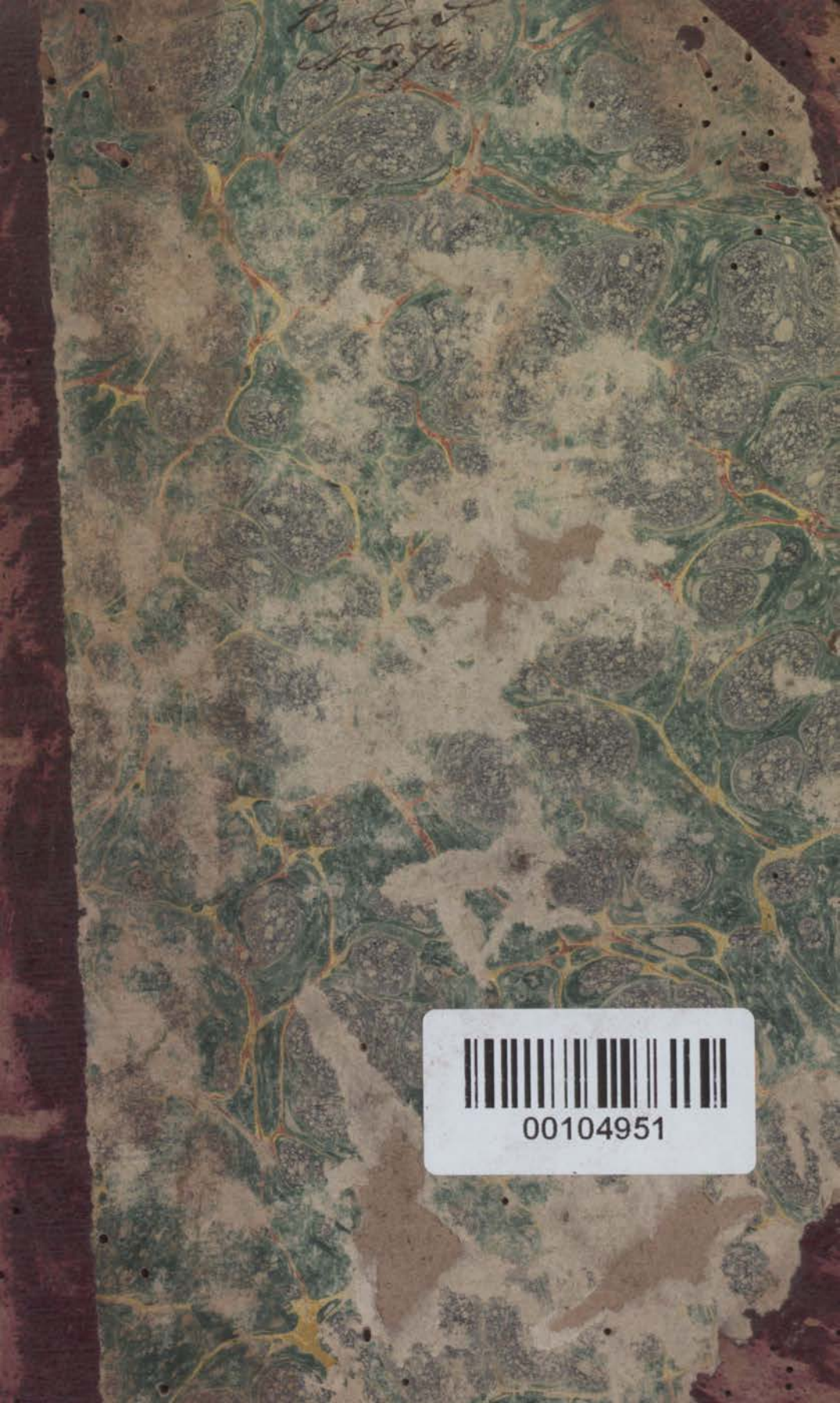
00104951

GEOGRAPHICAL SOCIETY

OF BOMBAY.

....

.....18.....

BOMBAY BRANCH

OF THE

Royal Asiatic Society.

Digitized with financial assistance from the
Government of Maharashtra
on 05 October, 2018

MAP OF
INDIA
SHEWING THE BRITISH POSSESSIONS
in the year 1784
BY JULAND DANVERS
The British Possessions are coloured Red
Native States Yellow
English Miles
Published as the Act directs by W.H. Allen & Co 7 Leadenhall St. 1 Oct. 1845.

HISTORY

OF THE

BRITISH EMPIRE IN INDIA.

VOLUME II

THE

HISTORY

OF THE

BRITISH EMPIRE IN INDIA.

BY

EDWARD THORNTON, Esq.,

AUTHOR OF "INDIA, ITS STATE AND PROSPECTS," &c. &c.

VOLUME II.

LONDON:
WM. H. ALLEN AND CO.,
7, LEADENHALL STREET.

1842.

Printed by J. L. Cox & Sons, 75, Great Queen Street,
Lincoln's-Inn Fields.

00104951

CONTENTS

OF

VOLUME II.

CHAPTER VIII.

Dividends of the East-India Company—Bill brought into Parliament for regulating them—Company petition against it—Singular Debate in Court of Proprietors—Bill passed through both Houses—Protest against it signed by nineteen Peers—Admission of the Crown to a participation in the Profits of the Company—Act for limiting Company's Dividends renewed—Agreement for five years effected between the Government and the Company—New extraordinary Commissioners depart for Bengal—Perish at Sea—Disgraceful conduct of Ministers in secretly granting to Sir John Lindsay a Royal Commission, conferring enlarged powers—Its secret history traced to the arrival of Mr. Macpherson in England, as the Agent of the Nabob of Arcot—His interviews with the Duke of Grafton—The Directors remonstrate, and Sir Robert Harland appointed to succeed Sir John Lindsay—Hostilities between Government of Madras and Tanjore, arising out of disputes between the Rajah of that country and Mahomet Ali; terminate in the surrender by the Rajah of a Fortress and two Districts—Disputes between Madras Government and Sir Robert Harland—Abrupt departure of the latter—Restoration of Sir Robert Fletcher, and his appointment

to Council at Madras—His disputes with the Government, and return to England—Conquest of Tanjore—Administration of Clive's successors—Mr. Verelst—Mr. Cartier—Death of the Nabob, of small-pox—Succeeded by his Brother Mobarik-al-Dowlah—Mr. Cartier succeeded by Warren Hastings—Early acts of his Government—Favour shewn to Goodias, Son of Nuncomar—Mahomed Reza Khan and Shitabroy apprehended; their acquittal—Death of Shitabroy—Selection of Munny Begum as Guardian of the young Nabob—Emperor transfers to the Mahrattas the Districts assigned for his support—Resumption of those Districts by the British—Payment of Company's Tribute to the Emperor discontinued—Districts of Korah and Allahabad ceded to the Vizier for fifty Lacs of Rupees—Hastings assists the Vizier against the Rohillas; his motives—The Rohillas totally defeated—Dastardly Conduct of the Vizier's Troops—State of Affairs at home—Company apply to Government for a Loan—Two Committees appointed by House of Commons, to inquire into their Affairs—Plan for the new Constitution of the Government of India—Bill presented to Parliament—Indignation of the Proprietors—Company petition against it, and pray to be heard by Counsel—Corporation of London also petition against it—Bill passed—Remarks on its Provisions—New Era in the History of the Company—Warren Hastings named as the Head of the new Government—Mr. Barwell, General Clavering, Colonel Monson, and Mr. Philip Francis, as Councillors ... ... Pp. 1 to 58

CHAPTER IX.

isputes between the Members of the new Government of Bengal—General Clavering calls for certain Correspondence between Hastings and Mr. Middleton, the Resident at the Court of the Vizier, which is withheld—Mr. Middleton recalled, and his duties transferred to Colonel Champion—Proposal of the Majority to demand pay-

ment of all Sums due by the Vizier—Resistance of Hastings—Disputes referred home for consideration—Death of Shoojah-ad-Dowlah, and accession of his Son, Azoff-al-Dowlah—A new Treaty concluded with Azoff-al-Dowlah—Remarks on its Provisions—Personal Charges preferred against Hastings—Is accused, by the Ranee of Burdwan and others—By Nuncomar, of receiving Money from Munny Begum—Hastings resists inquiry into these Charges—Council, notwithstanding, determine to enter on inquiry, and, in the absence of Hastings, pass Resolutions declaring that three Lacs and fifty-four thousand Rupees of the Company's Money had been received by the Governor-general, and calling upon him to refund the amount—Hastings refuses to reply, and further Resolution passed, that the Proceedings should be submitted to the Company's Attorney—Proceedings instituted in the Supreme Court against Nuncomar and others for Conspiracy—Before Trial on this Charge, Nuncomar is apprehended for Forgery—Found guilty and executed—Remarks on his fate—Mahomed Reza Khan restored to office—Death of Colonel Monson reduces the two Parties in the Council to an equality in numbers, giving Hastings the casting vote—Hastings re-appoints Mr. Middleton to the Oude Residency, and removes Mr. Fowke from a situation at Benares—Intention of Hastings to resign—Dissatisfaction at home, regarding Hastings's proceedings—Proceedings of Court of Directors and General Court in connection with his proposed removal from Office—Colonel Maclean declares himself the Agent of Hastings, and states that he has authority to tender his resignation—Resignation accepted—General Clavering appointed Governor-general, and Mr. Wheler to the vacant seat in Council—Hastings repudiates the acts of Colonel Maclean, and retains his post—General Clavering, notwithstanding, assumes the functions of Governor-general—Extraordinary Conference between General Clavering and Mr. Barwell, Hastings's supporter in Council—Question re-

ferred to the Judges of the Supreme Court, who decide in favour of Hastings—Hastings and Barwell pass a Resolution, declaring General Clavering no longer a Member of the Council—Further appeal to the Judges, who decide that the Council have no power to remove one of its Members — Remarks on these transactions — Death of General Clavering gives Hastings controlling authority in Council—Request of the Nabob to be permitted to undertake the management of his own Affairs complied with by Hastings — Disapprobation of the Court of Directors of the arrangements connected with it, and of the removals of Mr. Bristow and Mr. Fowke — Sir Eyre Coote appointed to succeed General Clavering—Usually supports Hastings — Attempted reconciliation between Francis and Hastings—State of the Law in India—Singular Contest between the Government of Bengal and the Supreme Court—Appointment of Sir Elijah Impey to be Judge of the Sudder Dewanny Adawlut—Duel between Francis and Hastings, in which the former is wounded—Francis quits India ... ... Pp. 59 to 155

CHAPTER X.

Hostilities between the Government of Bombay and the Nabob of Broach—The City of Broach taken by storm—Rugonath Row, on the death of his Nephew, succeeds to the office of Peishwa, and meditates War in the Carnatic —The Widow of the late Peishwa gives birth to a son, but Rugonath Row still maintains his pretensions to the office—English support him with the view of obtaining possession of Salsette and Bassein—Progress of negotiation unsatisfactory to the English—English take forcible possession of Salsette and Caranja — New Treaty concluded with Rugonath Row, by which the Company agree to aid him with a considerable force, and he to surrender Bassein and other places—Bengal Government disapprove of the Treaty—Resolve to negotiate with the

Ministers of the infant Peishwa, and appoint Colonel Upton British Representative at Poona—Movements of British Force acting in conjunction with Rugonath Row—Application to Bengal from Bombay for men and money—The former refused—Unsatisfactory course of the Negotiation at Poona—Bengal Government make vigorous preparations for War—Treaty concluded with Mahratta authorities at Poona—Rugonath Row retires to Surat—Review of these transactions—Intrigues of the Chevalier St. Lubin, agent of the French Government at the Court of Poona excite the alarm of the Government of Bombay, and a large force is sent from Bengal under the command of Colonel Leslie—The Bombay Government renew Negotiation with Rugonath Row, and put in motion an Expedition under Colonel Egerton—Disgraceful flight of this force—Escape of Rugonath Row, who takes refuge with Scindia—Convention concluded with the Mahrattas, by which the English agree to restore Salsette, &c.—Colonel Leslie is succeeded by Colonel Goddard in the command of the Bengal Detachment, who with great expedition arrives at Surat — Government of Bombay resolve not to recognize the convention with the Mahrattas—Praiseworthy conduct of Hastings with respect to the errors committed at Bombay—Rugonath Row escapes from Scindia—Ahmedabad and Lahar taken by Assault by a body of Troops under Captain Popham—Fall of Gwalior —Surrender of Bassein—Attack by the Mahrattas on a force under the command of Colonel Hartley—Difficulties of Hastings—The Bhore Ghaut carried by Colonel Parker —A force, under the command of Colonel Camac, sent to carry the War into the Territories of Scindia and Holkar — He retreats, but subsequently obtains a complete Victory over Scindia, with whom a Treaty is concluded

Pp. 156 to 198

CHAPTER XI.

Appointment of Lord Pigot to be Governor of Madras—Restoration of the Rajah of Tanjore—Mr. Paul Benfield intimates that he held Assignments on the Revenues of Tanjore for sums of vast amount lent by him to the Nabob of Arcot—Obtains credence—Struggle in Council of Madras as to the appointment of British Resident at Tanjore—Lord Pigot suspends Messrs. Brooke and Stratton from their seats in Council—Orders Sir R. Fletcher, the Commander-in-Chief, into arrest, and is himself arrested—Death of Lord Pigot—Observations on these events—Apathy of Hastings in regard to them—Proceedings at home respecting the affairs of Madras—War between England and France—Capture of Pondicherry—Expedition against Mahé—Capture of Mahé offensive to Hyder Ali—Negotiations between the Government of Madras and the Nizam—Arrangement with Basalat Jung—Attempt of British force to pass through territories of Hyder Ali repulsed—Mr. Hollond's Mission to the Court of the Nizam—Characteristic letter—Nizam being informed that the Company would no longer pay the annual Tribute on account of the Northern Circars, declares that he will prepare for War—Proceedings of the Bengal Government—Mr. Hollond recalled by Government of Madras, but continued by that of Bengal—Basalat Jung stops the march of Colonel Harpur, and demands the restoration of Guntoor—Madras Government refuse; but Government of Bengal take a different view, and restore Guntoor—Hyder Ali's movements induce Mr. Whitehill, the Governor of Madras, to order the detachment, formerly commanded by Colonel Harpur, to recross the Kistna—War with Hyder Ali—Tardy preparations of Madras Government—Destruction of Force under Colonel Baillie—Cruelties exercised on the Prisoners—Incredulity of Sir Hector Munro, the Commander-in-Chief—Consternation at Madras—

Force dispatched from Bengal, and Sir Eyre Coote proceeds to Madras to take command of the Army—Mr. Whitehill suspended from the office of Governor of Madras, and dismissed the service—Corruption at Madras, in which Mr. Whitehill was accused of being involved—Hyder Ali resumes the Siege of Arcot—Is successful—Difficulties of Sir Eyre Coote—He relieves Chingleput—Capture of the Fort of Carangoly—Capture of Wandewash—Victory obtained over Hyder Ali, who is saved by the advice of a groom—Tippoo Sultan renews the Siege of Wandewash—Sir Eyre Coote arrives at Carangoly, and Tippoo Sultan decamps from Wandewash—Surrender of Tripassore—Negotiations as to exchange of Prisoners—Another Battle of not very decisive character—Arrival of Lord Macartney, the new Governor of Madras—Defeat of Hyder Ali at the Hill of Sholingur—Capture from the Dutch of Sadrass, Pulicat, and Negapatam—Conquest of Trincomalee and Fort Ostenburgh—Ill success of Hyder Ali on the coast of Malabar—Force under Col. Braithwaite in Tanjore cut to pieces by Tippoo Sultan—Action between the English and French Fleets—Loss of Cuddalore and Permacoil—Trincomalee surrenders to the French—Disgraceful conduct of M. Suffrein, the French Admiral, in transferring prisoners to Hyder Ali—Differences between Lord Macartney and Sir Eyre Coote—The latter proceeds to Bengal—Death of Hyder Ali—Return of Sir Eyre Coote to Madras—His Death—M. Bussy takes the command of the French troops in India—Actions on land and at sea—Progress of the War on the western side of India—Surrender of Bednore and Mangalore—Capture of Anantpore—Subsequent Evacuation of Bednore by the British—Peace proclaimed between France and England—Armistice concluded with Tippoo Sultan—Dismissal of General Stuart from the command of the Madras Army—His arrest—Tippoo still carries on Hostilities—Distress of the Garrison of Mangalore, which capitulates—Capture of Paligaut—Commissioners proceed to the Court of Tippoo

to negotiate—Proceedings of the Commission—Treaty concluded — Differences between Hastings and Lord Macartney ... ... Pp. 199 to 294

CHAPTER XII.

Affairs of Bengal—Disputes with Cheyt Singh, the Rajah of Benares—Hastings proceeds to Benares and arrests the Rajah—British Force cut to pieces, and the Rajah escapes—Attack on Ramnaghur fails—Hastings compelled to retire to Chunarghur—Pateeta taken by Storm by Major Popham—Defeat of a party of the enemy by Major Croft—Zemindary transferred from Cheyt Singh to the Son of Bulwunt Singh's Daughter—Surrender of Bidzeghur—The Military appropriate the Treasure as Prize—Remarks on the Conduct of Hastings with regard to the Claims of the Military and to Cheyt Singh—The Vizier of Oude meets Hastings at Benares—Treaty concluded with the Vizier—Hastings receives a Present from the Vizier, which he applies to the Public Service—Requests the Court of Directors to grant him the Amount for his private benefit, and is refused—Articles of the Treaty with the Vizier of Oude—Iniquitous character of the Stipulation regarding Fyzoola Khan—Remarks on the Second Article, which related to the Resumption of Jaghires—Its Effect as to the Begums—Review of the Allegations against those Ladies, and of the Conduct of Hastings towards them—Extraordinary mode adopted for vindicating the Acts of the Governor-general—Mr. Middleton again Resident at Oude in place of Mr. Bristow—Proceedings for obtaining possession of the Wealth of the Begums—Hastings dissatisfied with Mr. Middleton, who resigns—Mr. Bristow reappointed—Hastings again dissatisfied, and proposes Mr. Bristow's recal, but is unsuccessful—Residency at Oude abolished—Hastings proceeds to Lucknow to make Arrangements for the Payment of the Vizier's Debt to the Company—He restores to the Begums a portion of the

Jaghires of which they had been deprived—Hastings returns to Calcutta, and departs for England ... Pp. 295 to 340

CHAPTER XIII.

Parliamentary Provisions relating to the Government of Bengal, the Trade and Territorial Possessions of the Company, and the Supreme Court—Select and Secret Committees of the House of Commons—Hastings condemned in Parliament—Court of Directors determine to recal him, but General Court declare in his Favour—Proceedings against Sir Elijah Impey—Ministerial Changes—India Bill of the Coalition Ministry passes the House of Commons—Opposed in the House of Lords—Rumour of the King's Hostility to the Bill—Its Effects—Dismissal of the Ministry—New Ministry formed by Mr. Pitt—New India Bill brought in and lost—Parliament Dissolved—Ministers powerful in the new Parliament—India Bill again introduced and passed—Its more important Provisions—Advantages of those relating to the Administration of the Government of India—Objectionable provisions for inquiring into the Property of persons returning from India, and for establishing a new Court for the Trial of Offences committed by such persons—Debts of the Nabob of Arcot—Unhappy Decision of the newly-constituted Board of Commissioners on those Debts—Presumed Causes of that Decision—Impeachment of Hastings—Preliminary Proceedings—Commencement of the Trial—Disputes as to the Admissibility of Evidence, and on the question whether an Impeachment abate by the Dissolution of Parliament—Progress of the Trial through several Sessions—Its conclusion in the Acquittal of Hastings—Remarks—Latter part of Hastings's Life—His Character . . .. Pp. 341 to 377

CHAPTER XIV.

Mr. Macpherson next in Council to Hastings at the Resignation of the latter—Course of events by which he attained that place—Arrival at Calcutta of Lord Macartney—He declines the appointment of Governor-general—Returns to England—Enters into Negotiation with the Ministry—Lord Cornwallis appointed Governor-general—Relations of the Company's Government with Oude; with Nizam Ali—Embarrassments of Lord Cornwallis's position—His mode of escaping them—Designs of Tippoo Sultan on Travancore—Proceedings of Tippoo, of the Rajah of Travancore, and of the British Government—Tippoo attacks the Lines of Travancore and is repulsed—Imbecile Policy of the Government of Madras—War with Tippoo Sultan—Treaties with Nizam Ali and the Peishwa—Assemblage of an Army under General Medows—Communications with Tippoo—Retirement of that Prince—British Army advance and capture Caroor, Aravacourchy, and Daraporam—Unsuccessful Attack on Paligaut—Dindigul taken—Surrender of Paligaut and Eroad — Sattimungul captured — Descent of Tippoo — Attack on a Corps commanded by Colonel Floyd—Attack renewed without success—Junction of the Divisions of the British Force—Tippoo regains Sattimungul, Eroad, and Daraporam—Movements of Armies and Negotiations—Lord Cornwallis resolves to assume the command—Enters Mysore—Town and Fort of Bangalore taken by the English—Victory gained by British Force under Colonel Hartley—Malabar occupied by General Abercromby—Movements of the Army of Nizam Ali, and of the Mahratta Army—Lord Cornwallis marches from Bangalore—Joined by a body of Nizam Ali's Horse—Resolves to march upon Seringapatam—Description of march—Apprehensions of Tippoo—Battle in sight of Seringapatam—English victorious, but compelled to return to Bangalore by want of provisions—

General Abercromby, who had advanced, ordered to return to Malabar—Army of Lord Cornwallis joined by Mahratta Army under Purseram Bhow—Hooliordroog surrenders to the Allies—Plan of new Campaign—Oossore evacuated by the enemy—Various Forts fall to the English—Nundedroog taken by them—Operations in Baramâhal, in Coimbatore—Gallant Defence of the Fort of Coimbatore by Lieutenant Chalmers—Its Surrender to the Enemy—Perfidy of Tippoo Sultan—Capture by the English of Savandroog and Ootradroog—Siege of Goorumconda—Nizam's officer deceived, surrounded with his men and murdered—Movements of Mahratta Army under Purseram Bhow—Capture of Hooly Onore—Victory gained by British Detachment under Captain Little—Simoga surrenders to the English—Faithlessness and cruelty of the Mahrattas—Simoga retaken by Tippoo—Lord Cornwallis once more in sight of Seringapatam—Attack upon that place—Its success—Subsequent movements—Noble Defence of a Redoubt by the English—Preparations for attacking the Fort—Tippoo releases Lieutenants Chalmers and Nash, and makes Overtures of Peace—Attack directed against the person of Lord Cornwallis—Approach of General Abercromby with the Bombay Army—Negotiations—Preparations for Siege completed—Preliminaries of Peace agreed upon, and Hostilities suspended—Insolent conduct of Tippoo—Arrival in the English Camp of two of Tippoo's Sons as Hostages—Disputes of Negotiators as to Revenue of Territories, value of Coins, and cession of Coorg—Preparations for re-commencing War—Definitive Treaty ratified by Tippoo—Remarks on the Treaty—Further proofs of the cruelty and perfidy of Tippoo—Departure of the British Army from Seringapatam—Means of providing for the Payments of Tippoo to the Allies—Restoration of Tippoo's Sons—The French Settlements captured—Lord Cornwallis's Changes in Internal Administration—The Permanent Settlement—Judicial Arrangements—Lord Cornwallis returns to England—Succeeded

by Sir John Shore—Evasion of the Engagements of the British Government with Nizam Ali—Nizam attacked by the Mahrattas—Progress of French Influence—Rebellion of the Nizam's Son—Interposition of the English for its Suppression—Death of the Peishwa and its Results—Death of Mahomet Ali—Dispute between the Governments of Bengal and Madras—Reduction of the Dutch Settlements—Death of Fyzoola Khan—Consequent Rebellion suppressed—Death of the Vizier—His Successor recognized by the British Government—His Title impugned—Governor-general institutes Inquiry, and becomes satisfied of the spurious birth of the reigning Vizier, who is deposed in favour of a Brother of the deceased Prince—Treaty with the new Vizier—Sir John Shore created an Irish Peer, and quits India ... Pp. 378 to 576

HISTORY

OF THE

BRITISH EMPIRE IN INDIA.

CHAPTER VIII.

THE dividends of the East-India Company, like those of other mercantile bodies, had been accustomed to fluctuate accordingly as circumstances were prosperous or adverse. In 1766, the dividend had for some time been made at the rate of six per cent. per annum. The news of the acquisition of the dewanny of Bengal, Behar, and Orissa, impressed the proprietors with a belief that more might reasonably be expected, and at the same general court in which the success of Clive's negotiation was announced,* a motion was made to raise the dividend to eight per cent.; but the Court of Directors having delivered an unanimous opinion that the proposal was premature, the motion, in deference to their judgment, was withdrawn. At

A. D. 1766.

* Held on the 18th June, 1766.

CHAP. VIII.

the next general court,* however, the subject of increase of dividend was again brought forward, and an augmentation of still greater amount was called for. It was moved that the next dividend should be made at the rate of ten per cent. per annum. The Court of Directors, anticipating that a proposal for increasing the dividend would be made, had prepared a report, the result of an investigation of the Company's affairs, with special regard to the subject of debate; and their conclusion was, that the circumstances of the Company were not such as to warrant any increase. Notwithstanding this, the motion was pressed to a division, and was finally determined by a ballot, the result of which gave a victory to the advocates of the proposed increase. This was followed† by a proposal to make overtures to Government for an extension of the duration of the Company's charter, on consideration of their admitting the State to participate in the advantages of their recent acquisition.‡ Those with whom the proposal originated, indeed, manifested an exube-

* Held 24th Sept. 1766. † 14th Nov. 1766.

‡ The creation of the new East-India Company, with which the old Company was finally incorporated, was one of the various expedients resorted to by the embarrassed government of William the Third, to raise money for the service of the State. The capital was to be lent to the Crown, and at a stipulated period after the repayment of the loan the exclusive right of trading was to cease. As the State found it convenient to borrow, and difficult to repay, other loans were subsequently obtained, the *bonus* for which was invariably an extension of the period of the continuance of the exclusive trade. The proposal referred to in the text, however extravagant in its character, was, therefore, ac-

rance of sanguine expectation worthy of the burning clime on whose wealth and fertility it was based. In consideration of an extension of the Company's charter for thirty-seven years, they generously proposed to assign to the State all that should remain of the territorial revenues after the civil and military expenses of the settlements should be paid, and after payment of a dividend to the Company at the rate of fifteen per cent., to be guaranteed for ten years. During that period the profits of the Company's trade were to accumulate as additional capital. At its expiration, the Company were again to derive their dividends from the profits of their trade; but if these should be insufficient to pay fifteen per cent., the difference was to be made up from the territorial revenues. High as were the expectations of the proprietors, they were not prepared to entertain this plan. The proposal was met by a motion for the previous question, which was carried. This result was followed by a motion, recommending the Court of Directors to take measures for obtaining from parliament further powers for extending the trade of the Company, and securing to them the benefits of the grants and acquisitions recently obtained. An amendment upon this was moved, embodying the views of those who had supported the first motion, but without specially referring to them—motions of adjournment *sine die*, and of adjournment to a future day,

cordant with the principles on which accommodation had previously been afforded mutually to the Crown and the Company.

CHAP. VIII.

were made, and, after a protracted debate, the court broke up, with an understanding that the subject should be resumed at the quarterly court which was approaching. But the successful results of Clive's policy had attracted the notice of others as well as of the proprietors of East-India stock. Several months before the discussion last noticed, the Duke of Grafton, then prime minister, had intimated to the chairman and deputy-chairman that the affairs of the East-India Company would probably occupy the attention of parliament in the approaching session, and that it might be expected to meet before Christmas.* It had met on the

A. D. 1766.

11th November; and on the 25th, a motion was made in the House of Commons, for a committee to inquire into the state and condition of the Company. It was carried, upon a division, by one hundred and twenty-nine against seventy-six; and it was then further resolved, that the committee should consist of the "whole House."

On the 10th December, the court received orders to lay before the House of Commons a variety of papers, including copies of all treaties and grants from any native powers between 1756 and 1766, both years inclusive; as well as of all correspondence relating thereto, and an account of the state of the Company's territorial revenues. At the time of making these orders, the House also called for a,

* This communication was made on the 28th August, 1766, and at the next general court (24th September) was announced to the proprietors.

statement of all expenses incurred by Government on account of the East-India Company during the period to which the order for copies of the treaties and grants applied. These proceedings of parliament were made known to the general court held a few days after the service of the orders, and the effect was to create a general impression that, under the circumstances, it was not advisable to make any application to parliament. With reference to the order for a statement of expenses incurred by Government on behalf of the Company, it was suggested that a counter-statement should be prepared, of charges thrown upon the Company by the acquisition and preservation of their possessions, the reduction and temporary retention of Manilla, and other similar causes; but the Court of Directors, it was intimated, had already anticipated the wishes of the proprietors on this point, by giving orders for the preparation of such a statement. The general court adjourned till the 31st December, on which day a motion, recommending the Court of Directors to treat with the ministry and report their proceedings, was carried unanimously. A. D. 1766.

The Court of Directors entered on the duty committed to them, but their progress was slow and unsatisfactory. The chairman, Mr. Dudley, writing to Lord Clive, says:—"We have been, and still are, studying the wants of the administration, for they themselves will not open their mouths to utter one syllable."* Parliament continued to call for further

* Quoted by Sir John Malcolm in Memoirs of Clive, vol. iii. page 197.

CHAP. VIII.

papers, and general courts continued to assemble to hear that their executive had made certain proposals, and that the ministers held their peace.* The stagnancy of discussion was somewhat relieved by the irrepressible activity of Mr. Sulivan, who, being now out of the direction, produced a set of counter-proposals, to be submitted to ministers in place of those of the directors. The question was referred to the decision of a ballot, and the directors prevailed.

The House of Commons had called for a variety of papers, but the committee did not proceed to
A. D. 1767. business till the latter end of March. It sat at intervals through the month of April and part of May. In the meantime the desire of the proprietors for an increase of their dividend continued, but the ministers and the Court of Directors were alike opposed to its gratification. At a general court, held on the 6th May, the chairman reported the results of the negotiations between the Court of Directors and the advisers of the Crown, and apprized the proprietors of the feeling entertained by the latter against an increase of the dividend. It was, notwithstanding, moved, that the dividend for the ensuing half-year should be at the rate of twelve-and-a-half per cent. per annum, and the motion was carried. On the following day, the House of Commons called for the proceedings of the court at which this vote was passed; and at another general court, held on the 8th, the Court of Directors re-

* The documentary communications on the part of the ministry were confined to a single paper, which, so far from expounding their views, consisted of nothing but a string of questions.

commended that it should be rescinded. After a debate of great length, a resolution was passed, to the effect that, in the arrangement with the ministers of the Crown, four hundred thousand pounds per annum should be secured to the proprietors. This did not differ substantially from the former resolution, as that sum would have furnished a dividend of twelve-and-a-half per cent. On the day on which this court was held, Mr. Fuller, the chairman of the committee of the House of Commons, moved for leave to bring in a bill for regulating the Company's dividends, and the motion was carried. The bill was brought in on the 11th, and read a first time. On the 12th it was read a second time, and ordered to be committed on the 19th. The object of the bill was to restrain any increase of dividend beyond ten per cent. till the next session of parliament.

A. D. 1767.

On the 18th May, the chairman reported to a general court then held, that copies of the resolution passed at the preceding court had been delivered to the Duke of Grafton, premier, Mr. Townsend, chancellor of the exchequer, and General Conway, one of the secretaries of state. An interview with the Duke of Grafton had been sought, but the answer of that nobleman seemed to offer little encouragement to the hopes of the proprietors.* The Court of Directors, however, had deemed

* The following is a copy of it :—" The Duke of Grafton presents his compliments to the Chairman and Deputy of the East-India Company; his time is always at their command, but he owns he can see very little effect from any interview on the subject of

it expedient to try the effect of a personal conference: the chairman and deputy accordingly availed themselves of the expressed readiness of the minister to receive them; but all that they obtained was a reference for his views to his written message. Under these circumstances, the Court of Directors recommended the presentation of a petition to the House of Commons, pressing the claims of the Company, but modifying them in some degree so as to meet the views of the administration. One of the main points in which modification took place, was that of the period during which the proposed agreement between the Crown and the Company should remain in force. The proprietors had required a considerable addition to the term of their charter, and the expectations expressed as to the extent of such addition had varied from thirty-seven to fifty years. Ministers would conclude no agreement for more than three years, and the first clause of the proposed petition expressed acquiescence in this arrangement. The fourth, fifth, and sixth clauses proposed that the trading profits of the Company, and the residue of the territorial revenue, after deducting the expenses of administration, should form a fund out of which the Company should receive £400,000 per annum as a dividend, and that

the resolutions of the general court of Friday last, which, differing so much from the ideas jointly approved by the directors and the King's servants, appear more proper for the judgment of parliament, whose attention to the great affair has been too often turned aside by fallacious appearances of accommodation."

the surplus should be equally divided between the Company and the public, the share of the Company being appropriated to the discharge of their debts. The remaining clauses related to various points, fiscal, military, and commercial, but of inferior importance with reference to the existing circumstances of the Company. The debate of this day was fierce and long. At a late hour, a motion being made for a petition to the House of Commons, praying that the petitioners might be heard by themselves or their counsel against the bill for regulating the Company's dividends, a ballot was demanded; and, as the bill was to go into committee on the following day, it was suggested, contrary to usual practice, that the ballot should take place forthwith. At nine o'clock in the evening it was moved and carried, that the ballot should then commence, and continue open till eleven. Against this decision several proprietors delivered a protest. Another protest was signed by the Court of Directors, who also refused to appoint any scrutineers. Scrutineers were accordingly chosen by the proprietors, who reported that the motion was carried by one hundred and thirty-eight against two. The debate was then resumed on the petition proposed by the Court of Directors. It was conducted with no less vehemence than that which had preceded the ballot. It was finally determined to instruct the Court of Directors to alter the petition, by suggesting the payment of £400,000 per annum to the public in place of the proposed participation in the Company's pro-

CHAP. VIII. A. D. 1767.

fits; and a few minutes before four o'clock in the morning of the 19th May this memorable court adjourned. The petition praying to be heard by counsel against the dividend bill was presented to the House of Commons on the same day. A motion, to refer it to the consideration of the committee, being opposed, the debate was adjourned till the following day.* A motion succeeded for a return of the names of the proprietors who had balloted on the day before under such extraordinary circumstances, and of the amount of their stock. It was opposed; but, on a division, carried. The petition originally prepared by the Court of Directors, and which submitted the proposals of the Company for an arrangement with the State, was presented on the 20th, and referred to the committee. The adjourned debate on the former petition was then resumed, and the petition was ultimately rejected. On the 25th, it was ordered, that it be an instruction to the committee to insert in the bill a clause regulating the mode of balloting in the general courts of the East-India Company. On the 27th, the bill came out of committee; and on the 28th, was read a third time and passed. On that day, it had been determined by a ballot again to petition parliament against the bill, and praying to be heard by counsel; but from the fact of the bill having passed the House of Commons, it was

* There appears, from the Journals of the House of Commons, to have been another petition of like character from certain proprietors of East-India stock, which was referred to the committee, and on the 25th of May the petitioners were heard by counsel.

no longer of any avail to petition there. The Company, therefore, addressed their prayer to the House of Lords; and, with a view to aid its success by a pledge of moderation, passed a resolution against any increase of dividend beyond twelve-and-a-half per cent. for two years. But they were not more successful in the upper, than they had been in the lower House. The bill was passed, though not without a protest against it signed by nineteen peers. Among the most powerful opponents of the bill was the chief justice of the King's-bench, the Earl of Mansfield: and his lordship is represented to have condemned the proceeding as an exertion of arbitrary power of which there was no precedent —as an attempt to set aside a legal act of private men, legally empowered to dispose of their own property, in doing which they had violated neither the general principles of justice nor the by-laws of the Company.* There is certainly some force in the reasons of this distinguished lawyer—the interference of parliament to prevent a commercial co-partnery from ruining itself was at least an unusual exercise of authority. But whether such interposition were justifiable or not, it is certain that it was beneficial, even to those who were restrained by it. The expectations of the proprietors had been unduly raised with regard to the benefits likely to accrue to them from the territorial revenues: the Court of Directors sought in vain to moderate them,

* Hardwick Papers, quoted in Hansard's Parliamentary History, vol. xvi.

CHAP. VIII.

and it was only by force of law that the temporary gratification of those extravagant hopes was prevented.

Few, however, will believe that the ministers of the Crown took a very deep interest in preserving a trading company from the consequences of an imprudent act. The wealth believed to be involved in the gift of the dewanny, and the desire to divert some portion of it into the English exchequer, must be looked to as the real motives of their interference.* The question was raised, to whom the newly acquired territory belonged; but its discussion was somewhat premature. The Company had in strictness acquired no territory, but only the right of administering the finances of Bengal, Behar, and Orissa; and after satisfaction of certain claims, of applying the surplus to their own benefit. It may be conceded, that neither a British subject, nor a company of British subjects, can acquire or exercise territorial sovereignty, but in this case there was no sovereignty. The Emperor of Delhi was the sovereign, and the Company was his zemindar. It may be true, that this relation between the parties was a mere fiction; but similar fictions are common under all systems of government and law, and there is no reason why they should command less respect in the case of the East-India Company than in any other.

* These feelings were not confined to the ministers, but appear to have pervaded the people. Alderman Beckford, leader of the popular party in the city of London, is represented to have expressed, in his place in parliament, a hope that the rich acquisitions of the Company in the East would be made the means of relieving the people of England of some of their burdens.

Against public clamour and parliamentary influence, it was, however, vain to contend; and throughout the discussion which took place among the proprietors of East-India stock, the admission of the State to a participation in the profits of the dewanny was assumed to be a necessary concession. A bill, providing for the payment for two years of four hundred thousand pounds per annum by the Company to the Crown, was accordingly brought in, and passed into a law, without opposition and almost without notice.*

The operation of the act for limiting the amount of the Company's dividends was restricted to one year. Before the expiration of that period, considerable changes had taken place in the ministry,†

* By another act, of which the tendency was unquestionably good, it was sought to diminish the pernicious practice of creating fictitious votes. The bill was introduced with especial reference to the East-India Company, but, in its progress through the House of Commons, its operation was extended to other similar establishments. It provided, that no one should vote in any general court who had not been possessed of his qualification for six months.

† This ministry, although the Duke of Grafton was its nominal head, was formed by the celebrated Earl of Chatham, but at a time when his health was failing, and after his disposition for public business had left him. It was from its commencement weak and unstable, possessing neither the favour of the court, the confidence of the people, nor any principle of conservation within itself. It was the ministry so finely ridiculed by Burke in the following passage of one of his speeches:—"He made an administration so chequered and speckled; he put together a piece of joinery so crossly indented and whimsically dovetailed; a cabinet so variously inlaid; such a piece of diversified mosaic; such a tesselated pavement without cement, here a bit of black

CHAP. VIII.

but no change in the policy maintained towards the East-India Company. A bill was brought in to continue for another year the operation of the former act. The Company resisted this, as they had resisted the former act regulating the dividends; but it passed both Houses by considerable majorities, although, like its predecessor, it was the subject of a protest in the Lords.* In the month of August

A. D. 1768.

stone, and there a bit of white; patriots and courtiers; king's friends and republicans; Whigs and Tories; treacherous friends and open enemies—that it was, indeed, a very curious show, but utterly unsafe to touch and unsure to stand upon. The colleagues whom he had assorted at the same boards stared at each other, and were obliged to ask—'Sir, your name?' 'Sir, you have the advantage of me.' 'Mr. Such-a-one, I beg a thousand pardons.' I venture to say it did so happen, that persons had a single office divided between them who had never spoken to each other in their lives, until they found themselves, they knew not how, pigging together, heads and points, in the same truckle bed."—Speech on Repeal of the American Tea Duties Bill, April 19, 1774.

* The protest contains six sections, each stating and enforcing a particular ground of opposition to the bill. The fourth, fifth, and sixth are the most important, referring, not to the peculiar circumstances of the Company, but to general principles. They are as follows: "Fourth. Because it appears to us that to restrain the subject in the disposition of his own property, without any other pretence than the mere possibility of abuse (this bill having been chiefly defended upon that ground), is a principle unheard of in any free country, and most alarming to all the trading and monied interests of this kingdom; it goes to the subjecting to the same restraint, on the same loose reasons, every great company, as well as every public or private stock, which may become of magnitude sufficient to tempt, in future times, an impoverished treasury and a rapacious administration, since no degree of innocence can be a security against such suspicion of a possible fraud, and such a suspicion may be made a ground for continuing an

following, it was intimated that the King's ministers were ready to receive proposals from the Company with respect to the territorial acquisitions and revenues. The proceedings connected with the passing of the bill restricting the amount of dividend have been detailed at some length, because they relate to the first instance in which parliament interfered with the property of the Company. It

arbitrary restraint, until the subject shall consent to ransom his property on such terms as shall be prescribed to him. Fifth. Because this annual restraint tends to establish a perpetual interposition of parliament, in declaring dividends for this Company, and, indeed, all companies whatsoever, to the increase of that most dangerous and infamous part of stock-jobbing which is carried on by clandestine intelligence, and to the vesting it in the worst of all hands—those of administration; for a minister who shall hereafter acquire in parliament (by whatever means) sufficient influence for the purpose, may, by his power of increasing, diminishing, or withholding dividends at his pleasure, have all the stockholders in these companies (a body extremely considerable for wealth and numbers) entirely at his mercy, and probably at his disposal, to the infinite increase of the already overgrown and almost irresistible influence of the Crown. Sixth. Because we apprehend that this unprecedented practice of declaring dividends in parliament may become a more alarming mode of undue influence on the members themselves, than any of those which have hitherto so frequently excited the jealousy of the legislature, since it furnishes a fund for corruption far greater than any hitherto known—a fund in its nature inexhaustible, of the greatest facility in the application, and quite out of the reach of all discovery and prosecution. We think the principle of this bill the first step towards the introduction of such a new system of corruption, and have, therefore, resisted it, lest the constitution should become totally perverted from the ends for which it was originally established, and be no longer venerated by this nation, as giving security to liberty and property, and protection to the subject from all violence and injustice on the part of Government."

CHAP. VIII.

is unnecessary, and would be uninteresting, to pursue the subsequent negotiations so minutely, and it will be sufficient to state, that an agreement for five years was effected between the Government and the Company; that the latter were permitted to add to their dividends, provided the addition did not exceed one per cent. in any one year, nor increase the entire dividend to a rate exceeding twelve-and-a-half per cent. per annum; and that the payment of four hundred thousand pounds annually into the Exchequer was to be continued, subject to a reduction, should the state of the Company's affairs compel a diminution of their dividend below ten per cent.

But this agreement did not remove all grounds of difference between the Government and the Company. The state of affairs in India was once more unsatisfactory. The stoppage of investments in consequence of the want of means to make them—the ill success attending the war with Hyder Ali, and other circumstances calculated to excite alarm, had determined the Company to send out commissioners vested with extraordinary powers; and further, for the protection of the British dominions and settlements in the East, they had solicited from the Crown the assistance of some ships of the line. To the former project the King's ministers objected; and though not disposed to refuse compliance with the request for maritime assistance, they wished to attach to it a condition to which the Court of Directors and the proprietors were alike hostile.

They desired that the officer who should command in the Indian seas should be invested with the functions of a plenipotentiary. This being objected to, it was required that, in the political arrangements that might be made between the Company and native states, that officer should have a large and ostensible share, and this upon the ground that the British Crown was bound by the treaty of Paris to maintain the rights of certain Indian princes.* To Sir John Lindsay, who was to proceed to India in command of a frigate, the Court of Directors had readily granted a commission to act in the Gulf of Persia. The question of granting to him further powers was submitted to a general court, and, after warm and long-continued debates, decided in the negative. Ministers did not press the matter further, nor did they persevere in resisting the proposed commission. Two frigates were dispatched for Bengal, and in one of them the new commissioners, Mr. Vansittart, Mr. Scrafton, and Colonel Forde, proceeded. But their commission was not opened—the ship in which they sailed never reached its destination, and was supposed to have foundered at sea.

A most disgraceful act of the ministry must now be noticed. They had appeared to acquiesce in the decision of the East-India Company to withhold from the officer commanding in the Indian seas all power of interfering with the native states; but,

* One of whom had, long before the period of this negotiation, been deposed and murdered.

CHAP. VIII.

notwithstanding this, they secretly gave to Sir John Lindsay a royal commission, conferring the powers which the Company had refused.* The political inexpediency of this act was its lightest fault. The incapacity of the ministers who committed it sinks into insignificance, when compared with the crime of dishonouring the name of their master by associating it with a miserable and scandalous deception. The secret history of this proceeding transpired after a few years, and it is at once curious and instructive.

It is notorious that the education of Oriental princes does not prepare them, in any degree, for the stations which they are destined to occupy. Ignorant, for the most part, even of the state of society around them, their ignorance of European politics, habits, and manners is extreme. They are, consequently, an easy prey for artful and unprincipled adventurers, who, traversing the world in quest of fortune, are not so fastidious as to reject any means of securing their object, though fraud, falsehood, and treachery, be among them. Mahomet

* The names of the men guilty of this mean, dastardly, and perfidious conduct ought to be recorded. The principal members of the ministry were the Duke of Grafton, premier; Lord North, chancellor of the exchequer; Lord Camden, lord chancellor; Lord Weymouth, Lord Rochford, and Lord Hilsborough, secretaries of state; Sir Edward Hawke, first lord of the admiralty; Lord Gower, president of the council; Lord Bristol, lord privy seal. The minister immediately concerned in the negotiation with the East-India Company was Lord Weymouth: from him Sir John Lindsay received his commission.

Ali was dissatisfied; he met with a subject of Great Britain named Macpherson, who told him that his dissatisfaction was just; he did more, he professed to be able to procure him relief, and solicited a commission from the Nabob empowering him to proceed to England as an accredited agent of his highness. The objects of this mission were stated by the envoy to be, to raise in the breast of the prime minister a favourable feeling towards the Nabob—to lay before him the distress of the prince, and to shew the advantage which would arise to the British State from supporting him in what the agent termed the rights of his alliance.* The required authority was given, and Mr. Macpherson proceeded to Europe. He appears to have relied in a great degree for the success of his mission upon the Earl of Chatham and the Earl of Shelburne, the former of these noblemen, though only holding the office of lord privy seal, being regarded as the active head of the administration; but, on Macpherson's arrival in England, he found that in one of the many ministerial changes

* See Memorial of Services rendered to the Nabob, printed in Appendix 1 to Third Report of Select Committee of the House of Commons, made on 12th June, 1782. When Mr. Macpherson was questioned in the Council of Madras (of which he was subsequently a member) as to the authorship of this paper, his reply was, "that it was impossible for him to give a precise answer to the question, the paper being neither wrote in his hand nor signed by him, nor does the President inform him that he has received it from any authority; it is a paper of considerable length, and refers to transactions previous to his being in the Company's service." Such an answer is quite conclusive as to the genuineness of the paper.

CHAP. VIII.

which about that time occurred, both the Earl of Chatham and the Earl of Shelburne had retired from office. Nothing discouraged, however, he resolved to proceed with his case—and he expresses himself on this subject with a sense of conscientious obligation truly edifying:—"Whoever," says he, "had the favour of the sovereign, it was my business to interest him in the support of my employer."* The justice of the Nabob's complaints, and the interests of the ambassador's country, were secondary considerations—his duty to his employer was primary, and nothing could be more fortunate, where conscience was so scrupulously regarded, than the fact that the course of duty to which the Nabob's emissary felt committed was, at the same time, the course most likely to advance his personal interests. According to his own report, he also enjoyed another singular piece of good fortune. The minister to whom he had to apply was all that he could wish. "Fortunately," he says, "the favourite and minister was a personage of the first distinction—of the noblest and most steady principles; every consideration pointed out his grace as the member of the British empire, whose friendship and support, next to those of the Sovereign, were the most desirable to the cause of the Nabob." His grace's virtues were, however, but subordinate to his position, for the Nabob's advocate adds, "but above all, the consideration of his being at the head of affairs, made it necessary to apply to the Duke of Grafton."†

* Memorial, ut supra. † Ibid.

Having determined to whom to apply, the next consideration was how to secure the minister's ear. Macpherson had no acquaintance with the duke, and he felt that without introduction he had little chance of approaching him with success. The deficient link in the chain of communication was supplied by the intervention of the Earl of Warwick, to whom Macpherson was known; and with a letter from the earl in one hand, and a plan for the administration of Indian affairs in the other, the representative of the potentate of Arcot waited on the minister. The diplomatist was a cautious as well as a persevering person. The plan which he presented to the Duke of Grafton was, he states, intended to sound his grace: he was not less wary with regard to the nature and extent of his powers. He says:—"I signified, in some degree, my commission."* His caution was not unreasonable, but it was unnecessary. His mission was too agreeable to be slighted. He was invited to a second interview, and then he became satisfied that "it was unnecessary to act with further reserve." His grace, he states, "spoke so feelingly of the oppression under which the princes of India laboured from the usurped authority of the commercial subjects of the state,"† that the emissary was convinced that the ground was prepared for the seed which it was his business to cast upon it. He lost no time in opening his client's case, and, according to his own report, availed himself to the full extent of an advocate's privilege of colouring. He

* Memorial, ut supra. † Ibid.

CHAP. VIII.

" expatiated upon the superior merits of the Nabob, shewed that he was the person to whom Britain owed the rise of her power in India—that his attachment and unsullied honour to the English were unparalleled;" and being thus led to the subject, he " dwelt," he says, " upon the personal merits" of his patron as "a statesman and a gentleman." Thence diverging to the Nabob's wrongs, he sought to fix and deepen the already awakened sympathy of the minister by an exposition of the " indignity and even tyranny" to which the exemplary prince was subjected.

To what extent the eloquent expounder of the Nabob's case illustrated the well-chosen topics of his speech does not appear. But it may be concluded with safety, that he did not inform his noble auditor that the Nabob had never possessed a military force that was regarded by his allies in any other light than as an incumbrance—that he had been kept on the throne solely by the power of the British arms—that his " merits as a statesman" consisted in an almost matchless combination of weakness and perfidy—and that his claim to praise as a " gentleman" must rest, if it could be sustained, on his reputation for meanness, falsehood, and cowardice. Such is the report of history, whatever might be that of Mr. Macpherson.

Having concluded his harangue, the advocate presented his letters in attestation of his authority, and produced what he calls the " credential presents." Mahomet Ali was aware that presents are

an indispensable auxiliary to diplomacy in India, and he might not unnaturally suppose that the same practice prevailed in Europe. But his adviser ought to have known better. He, however, reported to his master that he had tendered the presents, but he did not pretend that they were accepted. The duke, he says, declined to receive them, but accompanied his refusal by a declaration of his determination to give all his influence as minister in support of the cause of Mahomet Ali. The admiration and gratitude of the Nabob's commissioner were unbounded, and he represents the speech in which the duke's gracious answer was conveyed, as doing "honour to the minister of the best of kings, and the first of nations."* Indeed the effect of his grace's benignity was almost more than the diplomatic functionary could bear. "Overwhelmed," says he, "with the nobleness of this answer"—the connection of the cause and the consequence is not very clear—"overwhelmed with the nobleness of this answer, I took up the presents and offered them in the name of the Nabob to his grace's secretary, Mr. Bradshaw;"† but it appears that Mr. Bradshaw was not less inexorable than his superior, and refused the offer with equal decision and more warmth. Although such a result must have been expected, Macpherson represents it as embarrassing him. He feared that his employer would not believe that men who would refuse his presents could have any serious intention to serve him, it being an esta-

* Memorial, ut supra. † Ibid.

CHAP. VIII.

blished principle in the East never to refuse a present, whether the receiver intend to serve the donor or not. Another fear oppressed the agitated mind of the Nabob's representative. The refusal of presents would be a thing so new and strange to his illustrious employer, that he apprehended it would be attributed to his neglect of pressing. At a subsequent interview, he, with an amiable candour, stated his fears. The duke's secretary put an end to them by a pregnant remark. After complimenting the negotiator, by observing that, from the confidence reposed in him by the Nabob, any representation which he might make must be credited, the polite secretary added, "But we do not wish him to judge of things from their representation, but from their event. If he find his cause espoused here, and the consequent effects in his situation, you will have less difficulty in persuading him that the minister can be his friend without receiving his presents."*

The minister had refused to be bribed; but faith in the all-potent influence of money led to a proposal which it was thought could not fail to be agreeable at the treasury. It was twofold; and the minister had only to choose between the support of public credit by the purchase of a considerable amount of stock, and a more immediate and direct benefit to the exchequer to be derived from a loan at a very low rate of interest. Under pretence of a sense of the security of the British funds, as com-

* Memorial, ut supra.

pared with the precarious tenure of property in India, and of the Nabob's desire to make provision for his younger children, it was proposed on the part of that prince to invest seventy lacs of rupees* in any public stock that the minister might name; or, if preferred, to lend that sum, or even a larger, to the British government at two per cent. The proposal came to nothing; and probably the minister thought that the chance of realizing it was not great. At the time when it was made, Mahomet Ali professed to be surrounded by pecuniary difficulties; and, indeed, such was his situation throughout the greater part of his life. This offer was, notwithstanding, one of the means by which the favour of the English government was sought. The Nabob's agent continued to pursue his avocation in various other modes. He wrote pamphlets, and letters in the newspapers, proclaiming the royal and ministerial determination to support the Nabob; and to give these publications greater weight, he dated them from Arlington Street, where the Duke of Grafton resided. He caused articles calculated to serve or flatter the Nabob to be inserted in books published by others, and these articles to be brought prominently to the notice of the advisers of the Crown. He laid before ministers a suggestion for passing an act to restrain the Company's servants from interfering with the government and succession of Indian princes; and this proposal was made with especial reference to the situation and wishes

* About £700,000.

CHAP. VIII.

of Mahomet Ali. His intrigues fomented differences between the Company and the servants of the Crown; and he took advantage of the agitation, of which he was a main cause, to push the objects of his mission. "I availed myself," says he, "of the disputes which subsisted, or were rather commencing, between his grace as first lord of the treasury and the India directors, to enforce the propriety of supporting the Nabob."* His labour was not thrown away. The ministry resolved to support Mahomet Ali; they resolved to diminish the power, authority, and influence of the East-India Company; but they were too weak to reckon upon carrying out their design openly. Still they would not abandon it. They determined to effect their object by any means; and as it could not be accomplished openly, it was to be achieved by stealth. The secret commission of Sir John Lindsay was the result of the mission of Mr. Macpherson.

Sir John Lindsay, on arriving at Madras, proceeded to assume the exercise of the high powers with which he was invested. He announced to the governor and council that he was the bearer of letters and presents from the Crown to the Nabob of Arcot, and invited them to grace the delivery by giving their attendance on the plenipotentiary. This was declined, and an angry correspondence commenced, which was subsequently continued on subjects of more grave importance. Hyder Ali was attacked by the Mahrattas, and both the belligerents were

* Memorial, ut supra.

desirous of the assistance of the English. The government of Madras wished to maintain neutrality, but had they felt at liberty to join either party in the war, their inclinations would have led them towards Hyder Ali. On the contrary, the Nabob was disposed to favour the Mahrattas; and he succeeded in enlisting the king's plenipotentiary on his side. On this discreditable portion of the British history of India it is unnecessary, and would be uninteresting, to dwell. The Court of Directors, on becoming acquainted with the powers bestowed on Sir John Lindsay—the first intimation of which was derived from Madras—remonstrated against the course taken by the ministry, of which, it may be presumed, the latter were in some degree ashamed. The powers, indeed, were not withdrawn, but a change was made of the person to whom they were entrusted. Sir Robert Harland was appointed to succeed Sir John Lindsay, and the Court were informed that such instructions had been given him as left "no reason of apprehension to the Company."

In the meantime, the government of Madras had become involved in hostilities with Tanjore. These arose out of disputes between the Rajah of that country and Mahomet Ali. The fortress of Vellum was attacked, and taken; the city of Tanjore was besieged, and would probably have fallen, had not a premature peace been concluded by the son of Mahomet Ali. The conditions agreed to by the Rajah of Tanjore not being performed within the stipulated time, hostilities recommenced. They termi-

CHAP. VIII.

nated in the surrender by the Rajah of the fortress of Vellum, and the districts of Coiladdy and Elangad.

The new plenipotentiary, Sir Robert Harland, had arrived in August, 1771. Notwithstanding his alleged instructions were such as to leave "no reason of apprehension to the Company,"* his conduct was even more officious and dangerous than that of his predecessor. He entered into negotiations with the Mahrattas, and involved himself in endless disputes with the governor and council. He finally departed, in great wrath, having neither offered to the governor nor received from him the courtesies usual on such an occasion. On the folly which sanctioned two rival English authorities in India, each thwarting the other, and thus tending to destroy all respect for the nation to which they belonged, it would be useless to dilate. It is sufficient to observe, that it was one of the weakest and most reprehensible acts of a ministry, whose confidence in themselves was equalled only by the distrust with which they were universally regarded.

A. D. 1771.

The annoyance which the governor and council received from the conduct of Sir Robert Harland was not the only source of disquiet to them. Sir Robert Fletcher, it will be remembered, had been concerned in the mutinous proceedings in Bengal, and for this offence he had, under the sentence of a

* Letter from Lord Rochford, one of his Majesty's secretaries of state, to the Court of Directors, 20th April, 1771.

court-martial, been most justly dismissed the service. The proprietors, however, had thought proper to restore him—a most ill-judged exercise of lenity. Sir Robert Fletcher could not plead want of experience in extenuation of his guilt, and that guilt was greatly aggravated by his rank. It was particularly his duty to set an example of military obedience to those whom he commanded. When that duty was forgotten, and the influence of his rank given in aid of the cause of mutiny, neither the crime nor the danger was of ordinary character.* These obvious truths were, however, forgotten or cast aside in the zeal of personal friendship. Sir Robert Fletcher, on his restoration, was appointed to the chief command, and to a seat in council at Madras. There he soon became involved in violent disputes with the governor. Being ordered to Trichinopoly, he applied for a passage to England, in order, as he represented, to attend his duty in parliament, of which body he was a member. He was informed, that when he had set an example of military obedience, any representation from him would

* To give a pretence for the restoration of Sir Robert Fletcher, the proceedings of the court-martial were referred to General Lawrence and General Calliaud. The revision of the sentence of a court-martial by two private officers having no authority whatever to give an opinion on the subject, was extraordinary, and the conduct of the revisers was not less so. Unable to find reasons in the evidence submitted to them to justify the recommendation which they were expected to give, they extended their inquiries to that which had never been referred to them; and in regard to Sir Robert Fletcher's former services, recommended that he should be restored.

CHAP VIII.

receive due attention. The lesson which he had already received was probably not lost upon him—he proceeded to Trichinopoly, and took charge of the fortress. The council then passed a resolution, that out of respect and veneration for the House of Commons and their privileges, no impediment should be offered to the immediate return of Sir Robert Fletcher to the discharge of his duty in that assembly.

Before this transaction, the government of Madras had been engaged in aiding Mahomet Ali to punish certain Polygars who had offended him. They soon afterwards gratified him, by making war upon Tanjore. The country was subdued, and the Rajah made prisoner. Space cannot be afforded for a minute inquiry into the justice of this war, but it was at least questionable. Mahomet Ali had long thirsted for the possession of Tanjore, and the English government at length indulged him by its conquest. The Dutch had purchased of the Rajah the town of Nagore and its dependencies; but their retention of the purchase was alike disagreeable to the English and the Nabob, and an arrangement was made for its surrender.

It is now necessary to glance at the affairs of Bengal subsequently to the departure of Clive. The government of Mr. Verelst, who succeeded to the chair, affords little deserving of notice. He interfered to protect the Emperor and the Vizier from a menaced invasion by Abdalee Shah, projected an unsuccessful expedition to Nepaul, and concluded a

new treaty with the Vizier. Mr. Verelst was succeeded by Mr. Cartier, the principal events of whose administration were a dreadful famine, and the death of the Nabob Syef-al-Dowlah of small-pox. The Nabob was succeeded by his brother, Mobarik-al-Dowlah, a boy about ten years of age. On the departure of Mr. Cartier, his place was occupied by Warren Hastings, who had been brought from Madras for the purpose of succeeding to the chair, of which he took possession in April, 1772. Among the earliest A. D. 1772. acts of his government was one little calculated to secure, either to himself or his country, the confidence of natives of rank. For this act, however, he was not responsible; it was forced upon him by the orders of his superiors. The Court of Directors were dissatisfied, and not without cause, with the financial results of their government in Bengal; and they had resolved to discontinue the use of the machinery through which the office of dewan had hitherto been exercised—to dispense with the native agency, which it had been deemed necessary to maintain at the head of the revenue department, and to commit to European servants the discharge of the functions with which the Company had been invested by the Emperor. But this was not all. Reports prejudicial to the character of Mahomed Reza Khan had reached the Court of Directors. They had travelled through no regular or respectable channel, and originated, it is believed, in the intrigues of Nuncomar. Unhappily, the Court of Directors listened to them; and orders were sent

CHAP. VIII.

out to seize Mahomed Reza Khan, his family, partisans, and adherents, and detain them in custody till his accounts should be duly examined. Hastings lost no time in executing these orders; and among the parties apprehended was the gallant native Shitabroy, whose services to the English might have saved him from such an indignity. Although the Court of Directors seem to have been aware of the character of Nuncomar, they relied in a great degree upon evidence which he was expected to produce for establishing the charges against his rival. His zeal, indeed, could not be questioned; and Hastings enlivened it by appointing his son, Goodias, treasurer of the Nabob's household. This appointment Hastings defended, upon the ground that the young man thus favoured was of a character opposite to that of his father—placid, gentle, and without disguise; and that Nuncomar had no authority but that arising from his ascendancy over the mind of his son. There can be no doubt that the honour bestowed on the son was virtually bestowed on the father; and that the influence of an able, intriguing, and unscrupulous man like Nuncomar, would be unbounded over the mind of one in whom the habit of filial respect had prepared the way for the ready surrender of his judgment, and who possessed no share either of the ability or the guile of his parent. Hastings, however, could be little disposed to trust Nuncomar, and there is no reason to conclude that he then entertained any hostile feeling towards Mahomed Reza Khan. As far as can be discovered,

he was actuated only by a desire to carry out the views of his employers; and in the means which he adopted to conciliate Nuncomar, without, as he believed, trusting him, his judgment was probably more to be blamed than his intentions. The inquiry into the conduct of the deposed Naib advanced slowly, and the confinement of himself and his associate Shitabroy, in consequence, was protracted. Hastings alleged the vast influence of the chief prisoner, and the necessity of breaking it before any efficient proceedings could be adopted, as the reasons for postponing them. Though tedious, the inquiry was probably fair; for Mahomed Reza Khan was acquitted. Shitabroy participated in the acquittal, and was dismissed with extraordinary marks of honour. But these were ineffectual to their intended object of soothing his wounded spirit. He died shortly afterwards, and his death is attributed to the combined influence of grief and of the debilitating effects of the climate of Calcutta.*

The Nabob was a minor, and in the abolition of previous authorities it became necessary to make provision for his guardianship. The choice made by Hastings of a guardian for the infant prince was certainly an extraordinary one. In such a state of society as that which prevails in India, where women of rank never emerge from seclusion, excepting under very extraordinary circumstances, it could scarcely have been anticipated that a female would be selected for an office of state, and still less such

* Scott's History of Bengal, page 453.

CHAP. VIII.

a female as was chosen for the guardian of the Nabob. The object of the governor's choice was Munny Begum, a favourite inmate of the harem of Meer Jaffier, the mother of Noojum-ad-Dowlah, but not of the reigning prince. Hastings defended this step, on the ground that the only man who could pretend to the trust was the brother of Meer Jaffier; and that, as he had a numerous family, the influence of his own ambition or that of his sons might be dangerous to the life of the young Nabob. There is undoubtedly force in this objection; but if a regard to the safety of the young Nabob rendered it advisable to seek a guardian from the gentler sex, there seems to have been no reason for excluding from the trust the prince's mother, who was yet living, and against whom no exception appears to have existed. The character of the person actually chosen was not such as to justify the irregularity of setting aside the superior claims of the Nabob's mother. Previously to obtaining the favour of Meer Jaffier, Munny Begum had been a public dancing-girl, and in the exercise of this occupation had attracted the notice and won the affections of the master of Bengal. Her reputation, it is not to be presumed, was either better or worse than that ordinarily maintained by the class of persons to which she belonged—and the character of the dancing-girls of India is too well known to need description. It is not surprising that, when the annals of the Indian government were afterwards assiduously searched, to find matter of accusation against Hastings, this extra-

ordinary appointment should have given rise to one of the charges preferred against him. It has never been satisfactorily explained, and seems incapable of reasonable explanation. If honestly made, it was most discreditable to Hastings's judgment: in whatever light contemplated, it is a blot upon his administration, and it was one of the main sources of the disquiet of his after-life.

But it was not matter of internal regulation only that called for the attention of the governor. The Emperor had repeatedly pressed for the assistance of the English to enable him to march to Delhi, but had invariably been refused. In the Mahrattas he found more complacent allies. By them he was conducted to the place where his ancestors had indeed been sovereigns, but where, however his situation might be disguised, he was but the shadow of a prince. The Mahrattas never work without their price; and part of the payment of their services to the Emperor was the transfer to them of the districts which had been assigned for his support in his arrangement with the British Government. That government now resumed the districts, a measure not unjustifiable, as they had been transferred to their enemies. It was, at the same time, resolved to discontinue the payment of the annual tribute to the Emperor. This, too, as a temporary expedient, while the Emperor was leagued with a power dangerous to the British Government, or rather was entirely at the mercy of that power, was a measure of ordinary precaution. But it was not as a tem-

CHAP. VIII.

porary expedient that this measure was adopted. It was laid down by the governor and council as an express condition of any future arrangement with the Company, that the Emperor should be required to renounce his claim both to the arrears of the tribute and to all future payments for ever. This, it was urged, would be only a just recompense for defending against the Mahrattas his possessions in Korah and Allahabad, in the event of their being restored to him. Another reason was assigned for this proceeding, and, in the opinion of the governor and council, one of even greater weight than the former. "We are justified," said they, "by the stronger plea of absolute necessity, in insisting upon it, as our revenues are utterly unable to support any longer so ruinous an expense."* "Indeed," they observed, in addressing the Court of Directors in answer to some complaints which had reached that authority, "the state of our treasury rendered it impracticable to comply with these payments, or with those which he (the Emperor) would doubtless have continued to demand in full of his stipend, as it was then empty of cash; besides that, the great amount of our debt at interest required our first attention to its diminution and the immediate discharge of the interest upon it, instead of squandering away the wealth of the Company on a pageant of authority from which you can never

* Instructions to Hastings on his departure to negotiate with the Vizier.

derive any real benefit."* No minute scrutiny into the motives of the discontinuance of the Company's stipend will be necessary. That which had dictated the policy of Vansittart, decided also that of his successor, Hastings. An empty treasury had led to the dethronement of Meer Jaffier, and the same cause deprived Shah Allum of that by which thrones are supported.†

* Secret Letter from Bengal, 10th December, 1772.

† The discontinuance of the Emperor's stipend was not a sudden thought. It appears to have been long meditated as a resource under financial embarrassment, and it is painful to find such language as the following addressed to the Government of Bengal from home; it occurs in the course of some instructions relating to the withdrawal of a brigade which had been stationed at Allahabad. After giving orders for this step, the letter proceeds thus:—"The effects that we look for, from withdrawing the brigade, will be either that the King will put himself in Shoojah-ad-Dowlah's power, follow the brigade, or fling himself into the arms of the Mahrattas, or any other power who will give him hopes of an army to conduct him to Delhi, either of which would be far more eligible than the present jarring system. If he put himself into Shoojah-ad-Dowlah's power, he, as vizier, will possess himself of the power of disposing of his revenues and of the royal authority, and we shall be no longer embarrassed with his machinations to excite us to a rupture with Shoojah-ad-Dowlah; if he flings himself into the hands of the Mahrattas, or any other power, we are disengaged from him, and it may open a fair opportunity of withholding the twenty-six lacs we now pay him; but the most eligible for us would be to have him follow the brigade into the Behar province. In that case, you must inform Shoojah-ad-Dowlah that, by virtue of the treaty of Allahabad, we, as guarantees, esteem the King's possessions under our immediate protection, and that we shall repel any attempts that he may make to possess himself of them. But, though this language is to be held, we do not mean that you should engage in a war with Shoojah-ad-Dowlah, even though he should possess himself of the King's

CHAP. VIII.

The Bengal Government had assigned as one reason for depriving the Emperor of his stipend, the expenses incurred in defending his territorial possessions. They had recorded their opinion, that if the Emperor should make overtures for renewing his alliance with the Company, his right to reclaim the districts formerly assigned to him could not be disputed. Notwithstanding the avowal of these views, the territory was disposed of with no greater ceremony than the stipend. The motive which was the most powerful in leading to the discontinuance of the latter prompted also to the transfer of the

possessions; no interest of the King being of that importance to us as to plunge us into a war."—Company's Select Letter to Bengal, 11th November, 1768.

The unfortunate Emperor had evidently for some time been regarded as an incumbrance. It was an object to get rid of the tribute, if possible; but if that could not be accomplished, at least to secure its expenditure within the British possessions. In a letter, written more than two years after the former, this part of the subject is resumed. The Government are directed to recommend to his Majesty to take up his residence within the British provinces, with a view to his personal safety; and they are thus further instructed:—"To this plea must be added the ill effects of the continual drains of the specie of Bengal, on account of his annual tribute, which, when carried beyond our possessions, must in a great degree be lost to the necessary circulation, and may prevent that punctuality in our remittances which we have hitherto maintained, and may in time wholly incapacitate us from fulfilling the stipulations we are so desirous to preserve inviolate."—General Letter to Bengal, 10th April, 1771.

The return made to the Emperor for the gift of the dewanny was certainly not the most gracious. It is true that the favour only gave the appearance of a legal title to power that was actually in our possession; but the imperial *fiat* was greatly coveted, and ought to have been duly remembered.

former. The Emperor's districts of Korah and Allahabad were ceded to the Vizier in consideration of fifty lacs of rupees, twenty of which were to be paid without delay, and the remainder within two years. In addition to these payments, better terms than had previously been obtained were secured for the use of the British troops to be subsequently employed in the service of the Vizier. This advantage was important to the British Government, and the service of a British force was at that time ardently desired by the Vizier. He entertained designs of invading the Dooab, and attacking the Rohillas, and was desirous of obtaining the assistance of the English Government in these attempts. They declined giving him any assistance towards the former, but were not indisposed to aid him in the latter.

The ground of the proposed invasion of the Rohilla territory was the non-fulfilment of certain pecuniary stipulations entered into by the Rohilla chiefs with the Vizier in consideration of his intervention to drive away the Mahrattas. The Rohillas were backward in completing their arrangements, and the Vizier had thus a plausible cause for war.*

* How far a just one is uncertain, as different accounts are given of the transaction out of which the war arose. In Appendix No. 21 to the Fifth Report of the Committee of Secrecy of 1781, there appears the following alleged translation of an agreement on the part of the Rohilla sirdars with the Vizier, professing to be sealed in the presence of Sir Robert Barker, the commander of the English brigade:—"The Vizier of the empire, Shoojah-ad-Dowlah, shall establish the Rohilla sirdars in their

CHAP. VIII.

But his designs extended beyond the mere enforcement of his pecuniary demands upon the Rohillas:

different possessions, obliging the Mahrattas to retire, either by peace or war; this to depend on the pleasure of the Vizier. If at this time, without either war or peace, the Mahrattas, on account of the rains, shall cross, and retire, and after the expiration of the rainy season they should again enter the country of the Rohillas, their expulsion is the business of the Vizier. The Rohilla sirdars, in consequence of the above, agree to pay forty lacs of rupees to the Vizier in the following manner: as the Mahrattas are now in the country of the Rohilla sirdars, the Vizier of the empire shall march from Shawabad as far as may be necessary to enable the families of the Rohillas to leave the jungle and return to their habitations; ten lacs of rupees, in specie, in part of the above sum, shall then be paid, and the remaining thirty lacs in three years from the beginning of the year 1180 Fussuli."

This agreement is repeatedly referred to in the English official correspondence. Sir Robert Barker, in a letter to the select committee, dated 24th March, 1773, says: "Yesterday I had a visit from Hafiz Rehmut and his excellency the Vizier, when the situation of the affairs of the Rohillas was debated. The coming in of Hafiz has assuaged his excellency a good deal, and upon condition of the Rohillas immediately clearing off the last year's treaty of forty lacs of rupees, it has been determined to afford their families and country protection from the ravages of the Mahrattas, of which the Nabob [vizier] is to pay the Company twenty lacs for the part they will take in their protection; but, in default of the fulfilling of this agreement by the Rohillas, his excellency agrees to pay the sum of fifty lacs of rupees to the Company for their aid in putting him in possession of the Rohilla districts, commonly known by the territories of Hafiz Rehmut." The select committee, by letter, dated the 15th April following, authorized Sir Robert Barker to accept the offer of half the forty lacs for aiding in protecting the country from the Mahrattas, but forbade him to proceed further with regard to the remaining part of the Vizier's purpose without fuller instructions. Such is the English account of this arrangement. In a life of Hafiz Rehmut Khan, written by his son, an abridged translation of which has been published by the Oriental Transla-

he meditated the conquest of the country, and its annexation to his own dominions. In this project

tion Fund, the transaction is thus related :—"A second deputation was sent, when the Mahrattas agreed to accept forty lacs of rupees, provided that Shoojah-ad-Dowlah made himself responsible for the payment. The Nawab [vizier] declined entering into such an engagement, unless Hafiz gave him a bond for the money, adding that he would not have acted as mediator but from regard to Hafiz, whose country was now invaded. The whole of the Affghan sirdars entreated Hafiz to consent, promising to contribute their quotas towards its discharge, on which the deed was executed; and Shoojah-ad-Dowlah having made himself responsible to the Mahrattas, they quitted Kutheir. . . . . When Hafiz Rehmut arrived at Bareilly, he sent from his own treasury five lacs of rupees to Shoojah-ad-Dowlah, in part-payment of his bond, but each of the sirdars pleaded poverty in excuse for the non-fulfilment of their engagement."—Life of Hafiz, pages 99, 100.—The subsequent history of the transaction is thus given :—"At this period the vakeels of Mahajee Scindia and Tookoojee Holkar waited on Hafiz Rehmut with a message from their masters, purporting that it was their intention to attack Shoojah-ad-Dowlah, and proposing that, in the event of Hafiz joining the confederacy, half the country which they might wrest from the Nawab [vizier] should be given to him ; or, if he preferred remaining neuter, they would make over to him Shoojah-ad-Dowlah's bond for the forty lacs of rupees, on condition of his not opposing them while crossing the Ganges, or during their march. They, moreover, added, that in the event of his rejecting both these propositions, the Mahrattas would lay waste and plunder his country. Hafiz answered, that through life he had made it a rule never to join the infidels in opposing the faithful; that he would not be allured into a deviation from the path of duty by their tempting offers, and that he was ready to stand by the consequences which might ensue from such a decision. Hafiz Rehmut made known to Shoojah-ad-Dowlah the propositions of the Mahrattas, said that he would without delay prepare his army to take the field, advised the Nawab [vizier] to lose no time in guarding the Ghauts, and concluded by requesting the return of his bond, as the money, for the payment of which Shoojah-ad-Dow-

CHAP. VIII.

the governor of Bengal was desirous of engaging, although he felt that the question involved very

lah had made himself responsible, had not yet been sent, nor could it be supposed that the Nawab [vizier] would now consider his engagement binding; as a necessary consequence of which, his claim on Hafiz ceased. Shoojah-ad-Dowlah dispatched Syyud Shah Muddun, as his vakeel, to express how much he felt indebted to Hafiz for his conduct on the occasion, to communicate to him the arrangements which had been made for the assembly of the army, and to promise the restitution of the bond as soon as the Mahrattas were defeated." Pp. 107, 108. "Hafiz Rehmut, with only two thousand men, marched to Asubpore; but in the evening he was joined by Mohiboolla Khan and Moostukeem Khan, with seven thousand men, and during the night several other sirdars arrived; so that his force amounted to about twelve thousand horse and foot. Still the officers were unwilling to engage till a messenger arrived from Shoojah-ad-Dowlah, to desire an immediate junction with his army, as he proposed to attack the Mahrattas without delay. The troops were immediately put in motion, and in the general action which ensued, the Mahrattas were completely routed." Page 109. "On the return of Shoojah-ad-Dowlah to Oude, Hafiz sent Mahomed Khan and Abdoollah Khan to demand the restitution of his bond. The Nawab [vizier] denied having made any promise to restore it, or having authorized his vakeel so to do. The agents of Hafiz urged the generosity of their master's conduct in refusing the tempting offers which had been made to him by the Mahrattas, and produced the Nawab's [vizier's] letters, whereby he bound himself to abide by the engagements entered into by his vakeel; they therefore insisted that the vakeel should be called in, to declare whether or not he had, on the behalf of the Nawab [vizier], engaged to restore the bond as soon as the Mahrattas were defeated. Shah Muddun was accordingly summoned, and declared that he had made the promise by authority from the Nawab [vizier]. This the Nawab denied; and Shah Muddun, indignant at being charged with falsehood, retorted it on Shoojah-ad-Dowlah. The agents of Hafiz supported the Shah, and expressed freely their opinions of the Nawab's [vizier's] duplicity, and the parties separated in anger. Mahomed Khan and Abdoollah Khan returned to Bareilly, and reported the ill success of their mission;

heavy responsibility. It appears not, however, that a regard to the justice of the project at all embar-

but Hafiz did not find it convenient to come to an open rupture with the Nawab [vizier], and was therefore obliged to stifle his resentment." Pp. 110, 111. "At this time, Shoojah-ad-Dowlah was engaged in an attempt to expel the Mahrattas from the pergunnahs of Etawah and Shekoabad, to which Hafiz objected, stating that these pergunnahs had been given to his family by Ahmed Shah Dooranee; and although by the chances of war he had been compelled to relinquish them for a time, yet that he had by no means given up his claim to them; that even at this moment he had it in contemplation to send a military force for the expulsion of the Mahratta aumil; and that Shoojah-ad-Dowlah's present conduct was highly ungenerous, and inconsistent with the friendship which had so long subsisted between them. The Nawab [vizier] replied, that the pergunnahs in question having been conquered by the Mahrattas, the claim of Hafiz, on the plea of a gift from the Shah, had entirely ceased; that he felt himself as much at liberty to invade these pergunnahs as any other part of the Mahratta territory, and that having been successful, he should not relinquish the conquest. Hafiz again urged the point in stronger terms; when the Nawab [vizier] told him, that he would consider about the restoration of the pergunnahs, and in the meantime desired that Hafiz would discharge the balance of thirty-five lacs of rupees due on his bond; but this was merely to afford him a pretext for invading Kutheir, and for this purpose he began to assemble his army. As Hafiz Rehmut had, during the last few years, lost his best officers, and could place little confidence in those who remained, he was conscious of his inability to oppose Shoojah-ad-Dowlah, and therefore offered to pay as much of the forty lacs as the Nawab [vizier] had paid to the Mahrattas; but this proposition was rejected, and, with a British force in addition to his own, Shoojah-ad-Dowlah advanced to the Ganges. Puhar Sing, the dewan of Hafiz, strongly advised his master not to risk a battle, and offered to find funds for the payment of the thirty-five lacs of rupees, if Hafiz would permit him to wait on Colonel Champion, through whose mediation a reasonable period for discharging the debt might be fixed; but Hafiz said, that as he had not the money, and as none of the sirdars

CHAP. VIII.

rassed his consideration of its expediency. This is no uncharitable surmise, for his reflections on the

were willing to contribute towards the payment, he would not borrow, and was prepared to die in defence of his country. Pahar Sing again offered to procure the money from some Muhajins, but Hafiz would not consent, observing, that as he must die some time, he could not fall in a better cause." Pages 112, 113.

The account of the native witness is very circumstantial, but there is no opportunity of subjecting him to cross-examination. Some circumstances in his narrative seem improbable, more especially the presumption of Shah Muddun in affirming that which his master denied, and, as it would appear, without any stronger motive than a regard for truth. In some letters from Sir Robert Barker, written before the conclusion of the treaty above quoted, reference is made to a project entertained by the Vizier of acting as a mediator between the Rohillas and the Mahrattas, his design being to obtain a large sum from the former, and to give a small one to the latter. In another letter, dated the 10th May, 1773, Sir Robert Barker says:—"In consequence of the retreat of the Mahrattas towards the Jumna, the Rohillas are but little inclined to perform their agreements, and already begin to hesitate from motives that they deem the defence offered their country by the English forces and the Vizier equally necessary for the protection of his Excellency's dominions, and that no terms of accommodation have been settled with the Mahrattas, by which only a permanent peace and security to their possessions can be insured to them;—that the Mahrattas may return to them the next season, and with equal propriety demand the performance of their treaty with them for thirty-five lacs; will we, in that case, be answerable to defend their possessions or procure an established peace between them and the Mahrattas?" This seems to favour the native account of the transaction. The case is further embarrassed by a statement of Colonel Champion, made four days before the battle with the Rohillas, and which, moreover, is at variance with the assertion in the native account that Hafiz then refused to negotiate. Colonel Champion says:—"Since my letter of the 17th to the Governor, Hafiz Rehmut has, by letter, expressed earnest inclinations to come to an accommodation with the Vizier, which has been the cause of my halting here to-day.

subject are upon record. He thought that the Rohillas were dangerous to the Vizier, "the only useful ally of the Company;" that they could not be relied on to oppose the Mahrattas, but, on the contrary, were likely to join with that power in attacking Oude; that the acquisition of the Rohilla country would be very beneficial to the Vizier and the Company, inasmuch as it would strengthen the frontier of the former, without rendering the country less accessible to the forces of the latter—would give the Vizier wealth, of which the Company might expect to partake, and security, without dangerous increase of power. Lastly, he thought of forty lacs of rupees, which the Vizier had promised as the immediate reward of the desired service, and of the advantage of having a large portion of the Company's army supported at the expense of their ally, which while thus ceasing to be a charge upon the Company's finances, would be "employed usefully for their interests, and conveniently for keeping up its own discipline and practice in war."*

Still he hesitated: the circumstances of the times seemed to demand caution. He reminded the Board

The Nabob [vizier] claims no less than two crores of rupees, and unless he greatly abates his demand, it is not likely that an amicable decision can take place." How the forty lacs had become swelled to two crores is not explained. On the whole, this may be regarded as a striking instance of the difficulty of ascertaining with exactness the truth of the details of Oriental history.

* See Minute of the President, Select Consultations, 26th Nov. 1773, published in Fifth Report of Committee of Secrecy, 1782.

CHAP. VIII.

of the public clamour which prevailed at home, of the notice which Indian affairs obtained in parliament, and of the avidity with which the ministers of the Crown would seize upon any false step in the approaching negotiations for the renewal of the Company's charter. With reference to all these considerations, it was finally determined not to decline the invitation of the Vizier, but to give such an answer as would probably induce him to withdraw it.* The conduct of the Vizier was nearly as undecided as that of the British Government. For a time he refrained from further calling on them; but, after a brief interval, he laid claim to their assistance. The English brigade, under Colonel Champion, was accordingly put in motion; and on

A.D. 1774.

the 23rd April, 1774, gave battle to the Rohillas, and gained a complete victory over an army of about forty thousand men, commanded by Hafiz Rehmut Khan. About two thousand of the enemy fell on the field; more than fifty pieces of cannon were taken, and standards without number. The Vizier manifested the most dastardly pusillanimity. The night before the battle, he refused Colonel Champion the use of some pieces of cannon for which he applied, and urged him to decline the fight. Finding the British commander inexorable on the last point, he promised to support him with all

* There had previously been some personal communication on the subject between the Vizier and the English governor; but it had not produced any result, except a slight modification of the bargain for the sale of the Emperor's territories.

his force, and especially with a large body of cavalry, to act under Colonel Champion's directions. Instead of this, he remained inactive at some distance from the field, surrounded by his cavalry, and with a large train of artillery unemployed, till the news of the enemy's defeat reached him. His cavalry then moved with admirable celerity, pushed into the enemy's camp, and carried off immense plunder, in treasure, elephants, camels, camp equipage, and other effects. The Company's troops, justly indignant at the conduct of those of the Vizier, are said to have exclaimed—"We have the honour of the day, and these banditti the profits."*

The contest was now virtually decided. The obstinate determination of a chief, named Fyzoolla Khan, occasioned the united armies to make a movement against him; but the business was settled by negotiation, and the Vizier was placed in quiet possession of his new territory. His acquisition cannot be regarded in any other light than as an unrighteous conquest, and the English Government must bear their share of the guilt attending it. In extenuation, it has been urged that the Rohillas formed but a small portion of the inhabitants of the country, that their possession of it was not of long standing, and that it had been acquired by the same means by which it had been lost. All this is true: the Rohillas were enterprising Affghan adventurers, who had reduced to subjection a comparatively feeble Hindoo

* Colonel Champion's Letter to Government, 24th April, 1774.

CHAP. VIII.

population, who still constituted a vast majority of the inhabitants of the country. Before the invasion of the Vizier, these were victims of Mahometan usurpation; and after its success, they remained the same. But it does not appear that they invited foreign assistance to rid them of their first oppressors, nor that they were in any way benefited by the change. Consideration for their welfare certainly formed no element in the calculations of either the Vizier or his European ally.

While these transactions were taking place, the affairs of India were discussed at home with an unusual degree of interest and excitement. The Company were unable to meet their engagements with the public, and were even compelled to apply to Government for a loan. Borrowers are seldom regarded with much favour; their errors never escape condemnation, and not unfrequently their misfortunes are converted into crimes. In this case, too, the public disappointment was great. The riches of India was a phrase which had passed into a proverb, and the possession of a large portion of a country, which was supposed to overflow with wealth, was looked to as an infallible restorative of the dilapidated finances of Great Britain. It was astounding, therefore, to learn that, from some cause, the countless treasures of India did not find their way home—or, at least, not into the coffers of the Company; for it was a startling fact, that while the Company was needy and embarrassed, many who had entered their service poor, quitted it, not merely

with competent means of support, but with fortunes rivalling those of the most opulent members of either the aristocracy or the monied interest. These instances of well-requited service confirmed the belief in Indian wealth—to the popular mind it was still evident that India abounded in riches, though, from some extraordinary ill fortune, or ill management, the Company did not succeed in obtaining their share. The envy excited by these sudden acquisitions of opulence and grandeur, added to the unfavourable feeling engendered by the embarrassments of the Company, and the parliament, the press, and the conversation of men of all ranks and parties, found a never-failing supply of matter for discussion and invective in the alleged mismanagement of the affairs of India, and the enormous wealth brought from that country by those who had been officially connected with it. At no period before or since has the subject attracted so much interest. India, for the most part, has been a word that has fallen on the public ear almost unheeded. It was then invested with a spell which commanded universal attention, and converted it into the means of universal excitement.

About the time that Hastings took possession of the seat of government at Calcutta, two committees were appointed by the House of Commons to inquire into the affairs of the East-India Company—the one secret, the other open.* The Company

* The fact of two committees sitting contemporaneously on the same subject provoked the sarcasm of Burke. He said, on one occasion: "Sir, when the Company is thus tender of encroach-

CHAP. VIII.

proposed to send out a superintending commission, but a parliamentary negative prevented the accomplishment of their purpose. The ministers were ready to relieve the embarrassments of the Company by a loan, but they were not less ready to take advantage of their position and that of the Company by prescribing their own terms. The claim of the Crown to four hundred thousand pounds per annum was to be suspended till the loan was repaid; but, in other respects, the Company regarded the proposed conditions as harsh, and even as inconsistent with their corporate rights. They resisted, but with the usual fortune of those who resist a ministerial majority.

ing upon any of our rights, is it not cruel, is it not ungenerous in administration to harass it with two committees—with a committee of secrecy, founded on the principles of the Inquisition, and with a select committee, which is declared by one of its friends to be a mockery of the Company? A gentleman who generally votes with the administration finds the bill to be illegal, inexpedient, and alarming, and he finds the secret committee to be an inquisition, too rapid and violent in its motions. Another friend of the ministry declares the select committee so slow in its progress as to be a perfect mockery. What is to become of the Company between both? I protest I can compare them to nothing but a jack. The select committee is the slow-moving weight, the secret committee is the flyer, and what with the slow motion of the one, and the rapid motion of the other, the Company is effectually roasted." Sir William Meredith, in answer, said: "The honourable gentleman compares the two committees to a jack. He says the secret one is like the flyer of the jack, and the other like the weight. I agree with him in the simile, but draw a very different conclusion. Sir, between the ponderous weight at one end, and the quick motion of the flyer, the dish is prepared, and rendered fit for digestion."—Debate, 18th December, 1772.

The minister declared that, though the Company should decline the loan, parliament would, nevertheless, interfere for the regulation of their affairs.* Parliament did interfere, and most extensively. The plan for a superintending commission had been rejected; but it was not the intention of the minister to permit the government of India to remain as before —that which he had refused the Company the power to do he meant to do himself. The Company had been occupied in preparing a plan for the improvement of the administration of justice in Bengal. This task, too, was seized by the minister. The question of territorial right he expressed himself unwilling to agitate; but a series of resolutions, proposed in the House of Commons by General Burgoyne, chairman of the select committee, were carried, the first of which declared "that all acquisitions made under the influence of military force, or by treaty with foreign princes, do of right belong to the state."† The views of the ministry

* Speech of Lord North, 17th May, 1773.

† The immediate and professed object of this resolution was not the determination of the respective claims of the Company and the state—it was the first of three, based on the report of the committee, and intended primarily to apply to the conduct of Clive and others, who benefited irregularly by their connection with the government of Bengal. The second and third resolutions were, "2nd. That to appropriate acquisitions so made to the private emolument of persons intrusted with any civil or military power of the state is illegal. 3rd. That very great sums of money and other valuable property have been acquired in Bengal from princes and others of that country by persons intrusted with the military and civil powers of the state, which sums of money

CHAP. VIII.

were finally embodied in a bill presented to parliament. By this bill the government of Bengal was to be vested in a governor-general and four councillors, and to this authority the other presidencies were placed in subordination. A supreme court of judicature was to be established at Calcutta, to consist of a chief justice and three puisne judges, who were to be nominated by the Crown, but paid by the Company. The first governor-general and members of council for Bengal were to be named in the act—they were to hold office for five years, and during that period to be irremovable, except by the Crown, on representation of the Court of Directors. Vacancies were to be supplied by the court subject to the approbation of the Crown. Other provisions affecting the constitution of the Company and the rights of proprietors were introduced. Every proprietor of £500 stock had one vote in all proceedings of the Company, and no amount of stock entitled the holder to more. It was now proposed to raise the

and other valuable property have been appropriated to the private use of such persons." On a subsequent day, a resolution, declaring that Lord Clive had obtained money to the amount of £234,000, was moved and carried. It was proposed to follow this resolution by another of a condemnatory character, but the previous question was moved and carried; after which, the friends of Lord Clive succeeded in carrying a resolution, declaring "that Robert Lord Clive did, at the same time, render great and meritorious services to the country."

Though Clive was thus relieved from all apprehension of penal visitation or pecuniary loss, the excitement of the inquiry, and the obloquy to which it exposed him, probably affected his mind. He died by his own hand a few months afterwards.

qualification for voting to £1,000, and to give to holders of larger sums a plurality of votes; £3,000 was to entitle the possessor to two votes—£6,000 to three—and £10,000 to four.

These proposals were received by the Company with a storm of indignation. A petition to the House of Commons, complaining in strong terms of various provisions in the bill, was submitted to the proprietors, and, on a ballot, adopted by four hundred and forty votes against fourteen. It denounced the bill as destructive of every privilege which the Company enjoyed under the most sacred securities, and as affording a precedent dangerous to the property of the people at large; complained of the appointment of officers by parliament, vested with the whole civil and military authority of Bengal, and with a power of superintending the other presidencies, which officers the Company had no means of recalling, and over whom they could exercise no real control, while the territorial possessions were, notwithstanding, declared to be still vested in the Company, and prayed the House not to give its sanction to an act which, under the colour of regulating, would "annihilate at once the powers of the Company, and virtually transfer them to the Crown;" it represented the bill as destructive of the rights and interests of the Company in many other respects, and at the same time defective in many of the purposes for which it was declared to be framed, and as tending to destroy the liberties of the subject by making an immense addition to the influence

CHAP. VIII.

of the Crown; deprecated the forfeiture of franchise without proof of delinquency, and prayed to be heard by counsel against the bill. The corporation of the city of London also petitioned against the bill, representing it as of dangerous consequence to the franchises of every corporate body in the kingdom—professing to be alarmed by such proceedings, inasmuch as the privileges of the city of London stood on the same security as those of the East-India Company, and alleging that the bill had been brought into the House with a degree of secrecy incompatible with the principles of the constitution in matters of such public concern. Another petition was presented from the proprietors holding a less amount of stock than £1,000, and who would be disfranchised by the bill if it should pass into a law. They urged the hardship of depriving them of a valuable right without just cause, and denied that their disfranchisement would have the effect of suppressing collusive transfers. The Company were heard by counsel against the bill as they had prayed, but the eloquence of the bar seldom shakes the influence of the Treasury-bench. The bill passed the Commons and was sent to the Lords. The Company again petitioned—were again heard by counsel, but with no greater effect than in the lower House. The bill became law, but the hostile sentiments of a considerable number of peers were recorded in two protests.

Besides the provisions already noticed, the act contained many others of greater or less importance.

Among them was one requiring twelve months' possession of stock, instead of six, as a qualification for voting in general courts. By another, it was enacted that the directors should be elected for four years in place of one, and that one-fourth part of the entire number should be renewed annually. It also provided, that all the Company's correspondence relating to civil and military affairs, the government of the country, or the administration of the revenues, should be laid before one of His Majesty's secretaries of state. The receipt of presents by servants, either of the Crown or the Company, was prohibited; and the governor-general, councillors, and judges, were restrained from entering into trade, or deriving profit from it.

The changes effected by this act may now be judged, with a coolness which neither those by whom it was introduced, nor those by whom it was opposed, could possess. The prohibition of the receipt of presents was unquestionably good, but the Company were quite as willing as the legislature to enforce this. Not less beneficial was the provision restricting those by whom the government was exercised from engaging in trade; but this, too, was in accordance with the view of the Company. In reference to the change of circumstances, it was not unreasonable that the political correspondence of the Company should be brought to the knowledge of the ministers of the Crown. The Company were no longer a mere commercial association; they had to administer the affairs of a great kingdom. The ho-

CHAP. VIII.

nour of the British Crown and of the British nation was involved in their performance of this duty, and they might properly be called upon to shew that it was well performed. The change in the period for which the directors were chosen to serve was not unsupported by reason. A tenure of office confined to one year is too brief to encourage the exercise of firmness, vigour, and independence. Its tendency is to promote vacillating councils, and so short a term was, moreover, singularly ill adapted to the peculiar circumstances of the East-India Company. At the time under consideration, a year barely sufficed for the transmission of a despatch to or from India, and the receipt of an answer. The expediency of the judicial changes is less apparent. Some change was undoubtedly called for; but it has often been doubted whether the new court of justice established by this act was adapted to the state of society in which it was erected. Its actual working will hereafter be seen. The practice of collusive transfers was a monstrous evil, calling loudly for remedy. The Company were not insensible of this, and the subject had given rise to much discussion in their courts, before the legislature interfered. It would perhaps be too much to affirm, that the regulations affecting the right of voting have entirely put an end to the practice; and it may be vain to expect that any legislative enactments can effect this desirable object. If, however, with regard to some parts of this act, doubts may be entertained, there is at least one upon which no doubt can exist; it is

that which gave to parliament the power of nominating the first governor-general and members of council. Opinions may differ as to the best mode of appointing such functionaries, but few persons will deny that the mode adopted in this case was among the worst. The nomination of men to office by parliament is an exercise of power without responsibility. The ministers of the Crown are responsible for their acts—the East-India Company, or any similar body exercising political power, is also responsible—but the responsibility of parliament to itself is absurd, and even unintelligible. An appointment by parliament is an appointment by the majority in parliament; and an appointment by the majority in parliament is virtually an appointment made by the ministry for the time being, but divested of that responsibility which, in the ordinary exercise of their patronage, they incur. Whatever results follow, the ministers can neither be punished nor censured; the choice was not theirs, but that of parliament; and while thus enabled to elude responsibility, they have an opportunity of covertly securing an object which it might neither be safe to attempt openly, nor practicable to obtain if so attempted.

With this act begins a new era in the history of the East-India Company. The proceedings of the new government will be detailed in another chapter. Here it is only necessary to observe, that Warren Hastings, then the actual governor of Bengal, was named as the head of the new government.

CHAP. VIII.

Mr. Barwell, a civil servant of the Company, and then in India, was nominated one of the council. The remaining councillors were, General Clavering, Colonel Monson, and Mr. Philip Francis, all of them at the time in England.

CHAPTER IX.

THE members of council who had to proceed from England, as well as the chief justice and puisne judges of the Supreme Court of Judicature, arrived at Calcutta in October, 1774, and on the 21st of that month the new government was publicly proclaimed. The Court of Directors had framed, for the guidance of the governor-general and council, a very long and minute code of instructions, commencing with an injunction to preserve harmony. But from the moment at which the voyagers set foot on the shore of Bengal, it was evident that there was but small ground for hoping that the good advice of the Court would be followed. The reception given by the governor-general to his new associates was in their judgment deficient in respect, for though they received a salute from the battery, it consisted of only seventeen guns, whereas they were of opinion that they were entitled to twenty-one. The minds of all parties were probably well prepared for hostility. The voice of Hastings had previously been all-powerful, and he could scarcely expect to retain in the new council the commanding influence which he had previously enjoyed. He consequently regarded his new coadjutors with little

CHAP. IX. good-will, while of their capacity for office he formed no favourable judgment. "He seems, without doubt," says his biographer, "to have entertained but an indifferent opinion of the fitness of the individuals selected to work out the new system: he more than insinuates as much in his confidential communications with his friends."* On the other hand, the new members of council were impressed with a high sense of their own dignity, selected as they had been by no less an authority than the voice of parliament to assist in restoring to order and prosperity the embarrassed affairs of Great Britain in the East. Their minds, too, appear to have been filled to overflowing with the prevailing impression of universal misgovernment in India, and the elements of discord were thus abundant. They soon began to ferment. Mr. Barwell was in the interior, and till his arrival the public business and the angry passions of the members of the government alike had rest. The accession of the absent councillor set both in motion. The governor-general laid before the board a minute, containing a relation of the principal events of his own administration, and an exposition of the existing state of the Company's affairs. The Rohilla war and the Company's relations with the Vizier necessarily formed prominent topics in this paper, and out of these arose the first explosion of ill-feeling. Hastings had prevailed upon the Vizier to receive at his court

* Memoirs of the Life of the Right Honourable Warren Hastings, by the Rev. G. R. Gleig, vol. i. page 451.

a British resident, and a gentleman named Middleton had been appointed to the office. Between the resident and the governor many communications had passed, which the latter had not submitted, and did not intend to submit, to his colleagues. General Clavering called for this correspondence, as well as for any of a similar nature between the governor and Colonel Champion. Hastings answered, that he would lay before the board extracts of all parts of the letters, both of the resident and Colonel Champion, which related to public affairs; but as the letters might, and he believed did, contain things not proper for public record, he declined submitting them entire. The general persisted, and was supported by Colonel Monson and Mr. Francis. Hastings recorded a dissent from the decision of the majority—his three opponents protested against his dissent, and within a week after the proclamation of the new government its members were engaged in bitter strife and fierce recrimination. The governor-general continued immovable in his determination not to lay before the board the whole of the correspondence. His opponents no less obstinately adhered to their demand for its production; but as they had no means of enforcing the demand against the will of Hastings, they of necessity were forced to submit. They had, however, an expedient by which they could annoy the governor-general, if they could not conquer him. Colonel Monson suggested the recal of Mr. Middleton. General Clavering and Mr. Francis supported the proposal—Mr. Barwell took

CHAP. IX.

part with the governor-general, but the former three constituting a majority of the board, their views necessarily prevailed, and a resolution for the recal of the resident at the court of the Vizier was passed. Another resolution followed, directing Mr. Middleton to bring with him the whole of his correspondence during his residence at the court of Oude, including all that the governor-general had refused. The next subject of discussion was the choice of a successor to Mr. Middleton. Hastings was requested to nominate some person, but declined. General Clavering then proposed that the duties of the resident should be transferred to Colonel Champion, the officer commanding the brigade on service in Oude. Mr. Barwell objected to the office of resident being united with the chief military command, and the governor agreed in the objection; but Colonel Monson and Mr. Francis supporting General Clavering, his resolution was carried. Hastings was subjected to the mortification of being instructed to write to the Vizier, apprizing him of the removal of a resident whom the writer wished to countenance, and of the appointment of a successor to whom he had objected; but he had the satisfaction of again recording his dissent. The next movement of the opposition party in the council was to propose an immediate demand for the forty lacs which the Vizier had engaged to pay, and for such further sums as might be due from that prince. This demand was to be made by Colonel Champion, and it was proposed to instruct him, that if all the money could not be had,

he was to obtain as much as possible, and security for the remainder; that if the demand should be resisted, he was to protest, and within fourteen days retire into the Company's territory, unless there were difficulty or danger in such a step; that in any case, after the negotiations should be concluded, he should withdraw his force within the limits of the province of Oude, and unless its continuance should be required for the defence of the original dominions of the Vizier, or of Korah and Allahabad, return with it to cantonments at Dinapore. These proposals were opposed by the governor-general and Mr. Barwell, and a war of minutes ensued, consuming much time and covering a vast mass of paper, but ending, as it must have been foreseen by all parties that it would end, in the triumph of Hastings's opponents. The combatants now resolved to appeal to their superiors. On the 30th November, only forty-one days after the landing of the new councillors had been announced, by what they regarded as the stinted measure of honour conveyed by seventeen discharges of artillery, they laid before the board a letter which they had prepared for transmission to the Court of Directors. It consisted of no less than seventy-four paragraphs, some of them of considerable length, and all full charged with denunciations of the governor-general's policy. This document was prepared with a view to its being perused by other parties than those to whom it was addressed. In a note which accompanied the delivery of the letter to the board, the framers of it

A.D. 1774.

CHAP. IX. observe, "the whole of the papers, as they apprehend, must, in obedience to the act of parliament, be transmitted by the Court of Directors to one of His Majesty's principal secretaries of state."

The members of the council of Bengal could not directly address the ministers of the Crown—at least, they could not officially address them; but there can be little doubt that this letter was intended for the ministry, though ostensibly addressed to another authority.* The governor-general, like his adversaries, laid his case before the Court of Directors in a separate communication, and the Court were thus enlightened by three sets of despatches on the same subject—one from the governor-general and council in the usual form, another from the governor-general only, and a third from three members of the council. Mr. Barwell, though agreeing with the governor-general, declined to become a party to his appeal. Regarding such communications as irregular and improper, he contented himself with recording a minute expressing that opinion, and stating his general concurrence in the views of the governor-general.

Whatever opinion might be formed of the justice or policy of the Rohilla war, whatever views might be entertained of the disposition of the Vizier to fulfil his engagements, the course forced upon the governor-general by the majority of the council was

* Both parties probably addressed the ministers privately. Hastings certainly did. See a Letter from him to Lord North, in Gleig's Memoirs, vol. i. page 471.

obviously unwise. It was the dictate, not of a cool and deliberate consideration of the circumstances of the case—not of an honest judgment, sound or unsound—but of blind passion and headlong wilfulness. Had the measures of the council been acted upon in the temper in which they were conceived, and had they been encountered by the Vizier in a like temper, there would have been no choice but to abandon so much of the debt as the Vizier might decline to pay, or to enforce the demand by the sword. A variety of circumstances combined to avert such an extremity. The Vizier had begun to diminish his debt. Mr. Middleton, on obeying the call for his return, brought with him fifteen lacs. Eight more were obtained through other channels; the remainder of the account was to be settled, not with the Vizier, but with his successor. The health of Shoojah-ad-Dowlah had for some time been declining, and early in February, 1775, he died. He was succeeded in the possession of his dominions by his son, Azoff-al-Dowlah, who also, after much negotiation and with some difficulty, was ultimately recognized by the Emperor as his Vizier. This honour, however, was not attained by the prince till fourteen months after the death of his father. CHAP. IX. A. D. 1775.

Various minor disputes in the council must be passed over. The death of the Vizier gave occasion to a quarrel of greater dignity and importance. The majority in the council, General Clavering, Colonel Monson, and Mr. Francis, chose to consider all the

CHAP. IX.

obligations by which the British Government was connected with the late Vizier as merely personal—consequently as terminated by the death of the party with whom they were contracted; and they regarded that event as affording an opportunity of making a better bargain with the Vizier's successor. Mr. Bristow was appointed resident at the court of Oude, and by him a treaty was concluded, by which the new Soubahdar agreed to surrender to the British Government Benares and certain other districts, which the three members of council reported would produce an annual revenue of twenty-two lacs; and also to pay for the aid of the English brigade, when stationed with him, fifty thousand rupees per annum more than his predecessor had undertaken to pay. The framers of this treaty evinced a tender regard for their successors in office, by relieving them from any difficulty as to the duration of the engagement. The obligation of the English authorities to respect the provisions of the treaty was expressly limited to the life of Azoff-al-Dowlah. This considerate provision is the more remarkable, as the majority of the council under whom the treaty was concluded do not appear to have felt any difficulty in relieving themselves from all regard to the treaty concluded by the government which preceded theirs with the Vizier.

The three councillors were greatly proud of the achievement of this treaty. "The measure," said they, "is strictly and exclusively ours: the original plan was opposed in every step by the governor-

general and Mr. Barwell."* Hastings recorded his conviction that it was not honourable to extort from the prince "concessions inconsistent with our former treaties, to which the necessity of his situation alone obliged him, however unwilling, to submit,"† and the judgment of posterity must confirm the sentence. Remarkable indeed it is, that the men who were so keenly alive to the injustice of the Rohilla war, should themselves conceive and carry into effect an act of deliberate injustice to an ally, on the very spot where they had proclaimed themselves the champions of righteousness, and while the ink was scarcely dry with which they had recorded their abhorrence of the crooked policy of their colleague and president. Such a circumstance pours a stream of light upon their pertinacious opposition to every act of the governor, and renders it impossible for the most extended charity to attribute it to any pure or honourable motive.

Hitherto the differences between the two parties in the council had reference to matters of public policy. The rancour of their animosity was now to be influenced by the investigation of charges affecting the personal integrity of the governor-general. His accusers were many, his enemies in the council well disposed to listen to them—but Hastings denied

* Address from General Clavering, Colonel Monson, and Mr. Francis, to the Court of Directors, 21st November, 1775. Appendix 157 to the Fifth Report of the Committee of Secrecy, 1782.

† Observations on Minute of General Clavering, Colonel Monson, and Mr. Francis, by Governor-general, in Appendix 157 to Fifth Report.

CHAP. IX.

their right to institute such inquiries, and claimed the privilege of dissolving any meeting of council in which such questions were entered upon. This claim his opponents resisted, and on his quitting the chair on such occasions, they placed in it one of their own number, and continued their inquiries. Charges were preferred by the Ranee of Burdwan involving the governor-general, his banyan, and several other European and native functionaries. These accusations appear to have been supported by little or no evidence deserving of credit, and almost the only ground for attaching any weight to them was furnished by Mr. Graham, a servant of the Company, and one of the accused parties, who, as a preliminary to inquiry, demanded that the Ranee should give security for the payment of a penalty in case she should fail in establishing her charges. From another quarter, a charge was made of corruption in the foujdarry of Hooghly, in which it was alleged that the governor-general participated. The party by whom the charge was brought forward was anxious to obtain the office of foujdar for himself, and offered to undertake it at half the salary then paid. The foujdar was summoned to answer for his conduct, but either from conscious guilt or personal scruple, he objected to be examined on oath. The governor-general defended him; but this, probably, only furnished an additional reason for visiting his contumacy with severity. He was dismissed from his office, but his accuser did not benefit, as he had hoped, by the result. The conduct of Hastings in

refusing to defend himself against these charges, or to permit them to be inquired into by the board of which he was the head, has been regarded as affording presumption of his guilt. But it may be sufficiently accounted for upon other motives. It might arise from an honest conviction that it was inconsistent with the dignity of his office to reply to charges which he declared founded in falsehood and forgery. It might be attributable to a belief that the council was not a proper tribunal for the investigation of such charges, or a conviction that from his associates he had little chance of an impartial decision. It might have its origin in constitutional haughtiness of temper, of which Hastings had more than an ordinary share. On the other hand, it is not necessary to suppose that the majority in the council either suborned or encouraged false evidence, knowing or believing it to be such. Their hatred of the governor-general led them hastily to listen to any imputations against him, and to estimate the truth of the charges by their passions, not their judgment. They had little or no experience of the native character—they knew not with what facility false charges are manufactured in India—with what ingenuity supported—with what pertinacity maintained. They might know something of the feeling which leads the worldly wise to woo the smile of newborn power by insulting or persecuting those over whom it has triumphed, for this feeling exists and operates to a greater or less degree in all countries and states of society; but they did not know the

CHAP. IX. extent to which it prevails in India, nor the fearful forms in which it is sometimes indulged. The governor-general was now governor only in name. The natural influence of his position was destroyed, and the fact of his having a casting vote in an assembly of five availed nothing, where three systematically and invariably voted together, and always in opposition to the chair. To the quickness of native perception this state of things afforded an index pointing out the path to success. Whoever sought to recommend himself to the majority in council attacked the governor-general. Whoever had an object to gain, which, under other circumstances, might be regarded as hopeless, saw in the evil passions which distracted the council the means of gratifying his wishes. Whoever bore enmity to the governor-general readily discerned that this was the time to seek revenge.

One of the charges which press most heavily on the character of Hastings, arose out of the extraordinary appointment of Munny Begum to the guardianship of the infant Nabob. In the examination of her receipts and disbursements, a large sum was discovered to be unaccounted for. The Begum was placed under restraint, and an inquiry instituted into the defalcation; when she stated that a considerable sum had been paid to the governor-general. That something was given and received was not denied, but it was alleged to have been paid on account of extraordinary expenses incurred by the governor-general's residence at Moorsheda-

bad, and to be sanctioned by custom. It had for some time been clearly the intention of the Court of Directors that their servants should receive nothing beyond their regular and authorized emoluments, and the plea of custom is a poor one when placed in opposition to duty.* The transaction acquires a darker hue from the extraordinary character of the appointment in which it originated. Opinions may indeed differ as to the extent of Hastings's culpability, but he must be a warm partizan indeed who will go the length of declaring that the hands of the governor-general were altogether clean. If he were entitled to any extra allowance while at Moorshedabad, he should have drawn such allowance openly, and brought it to account in the ordinary way; while the sum received from Munny Begum, if the receipt were proper, should have been carried to the credit of the Company. If he had no claim to additional allowances, there is nothing to discuss, and his conduct is without even the shadow of excuse. CHAP. IX.

The charge of taking money from Munny Begum was originally preferred by the acute and profligate Nuncomar. On the 11th March, 1775, Mr. Francis informed the board that he had that A. D. 1775.

* Hastings was bound by covenant not to receive presents. Two of his predecessors had bound themselves by oath. Clive framed an oath to be taken in the Mayor's Court at Calcutta by the governor, and took it himself. It was also taken by Mr. Verelst. It is remarkable that Hastings did not take it; but it is fair to state that it was not taken by his immediate predecessor, Mr. Cartier.

CHAP. IX. morning been visited by this extraordinary person, who had delivered to him a paper, addressed to the governor and council, and demanded of him, as a duty belonging to his office as a councillor of the state, to lay it before the board. Mr. Francis added, that he thought he could not, consistently with his duty, refuse to receive a paper from a person of Nuncomar's rank, but that he was unacquainted with the contents of it. He had, however, some suspicion as to its tenour. It accused the governor-general of receiving bribes to a vast amount; among other instances, he was charged with taking two lacs and a half of rupees from Munny Begum, and something more than a lac from Nuncomar himself, as the consideration for the arrangement which placed his son Goodias in office. On a future day, another communication from Nuncomar was produced and read, but it contained nothing but assurances of the writer's veracity. Colonel Monson then moved that Nuncomar should be called before the board, to substantiate his charge. The motion was opposed by Hastings, and his reasons for opposing it were recorded in a somewhat angry minute. "Before the question is put," he said, "I declare that I will not suffer Nuncomar to appear before the board as my accuser. I know what belongs to the dignity and character of the first member of this administration. I will not sit at this board in the character of a criminal, nor do I acknowledge the members of the board to be my judges." He then adverted to the unremitting hostility which he had encountered in

the three members of council opposed to him— hostility first manifested in opposition to his public acts, and subsequently in personal attacks upon him; and, after shortly glancing at some former charges, dwelt at length upon Mr. Francis's conduct in bringing forward those of Nuncomar. "Mr. Francis," he said, "has declared that he was called upon by Rajah Nuncomar, as a duty belonging to his office as a councillor of this state, to lay the packet which contained them (the accusations) before the board; that he conceived that he could not, consistently with his duty, refuse such a letter, at the instance of a person of the Rajah's rank, and did accordingly receive it, and laid it before the board, declaring, at the same time, that he was unacquainted with the contents of it. I believe that the Court of Directors, and those to whom these proceedings shall be made known, will think differently of this action of Mr. Francis; that Nuncomar was guilty of great insolence and disrespect in the demand which he made of Mr. Francis; and that it was not a duty belonging to the office of a councillor of this state, to make himself the carrier of a letter, which would have been much more properly committed to the hands of a peon or hircurrah, or delivered by the writer of it to the secretary himself. Mr. Francis has acknowledged that he apprehended in general that it contained some charge against me. If the charge was false, it was a libel: it might have been false for any thing Mr. Francis could know to the contrary, since he was unacquainted with the contents of it; in this

CHAP. IX. instance, therefore, he incurred the hazard of presenting a libel to the board—this was not a duty belonging to his office as a councillor of state." Hastings then stated, that he had expected such an attack upon him; that he had seen a paper, containing many accusations against him, which he was told was carried to Colonel Monson by Nuncomar, who was, moreover, employed for some hours in private, explaining to the colonel the nature of the charges. A translation of this paper Hastings produced, and desired it to be recorded. He charged his opponents with being parties to the accusations of which they asserted their right to be judges, and then proceeds thus:—"The chief of this administration, your superior, gentlemen, appointed by the legislature itself, shall I sit at this board to be arraigned in the presence of a wretch whom you well know to be the basest of mankind? I believe I need not mention his name, but it is Nuncomar. Shall I sit to hear men, collected from the dregs of the people, give evidence at his dictating against my character and conduct? I will not. You may, if you please, form yourselves into a committee for the investigation of these matters in any manner which you think proper; but I will repeat, that I will not meet Nuncomar at the board, nor suffer Nuncomar to be examined at the board, nor have you a right to it—nor can it answer any other purpose than that of vilifying and insulting me to insist upon it."* Colonel Monson called for the

* Minute recorded 13th March, 1775.

name of Hastings's informant as to the alleged visit of Nuncomar to him. Hastings refused to give it, but referred to Mr. Barwell to confirm his statement as to the existence of such a report. Mr. Barwell did confirm it; when Colonel Monson declared, that he had never seen any paper in the Persian or any country language, which contained any accusation against the governor-general; but it is observable, that he did not deny having held intercourse with Nuncomar. He appeared, however, to think his disclaimer very complete; for he prefaced it with the sarcastic remark, that he presumed "an assertion even from the governor-general himself" would "have no more weight or influence in the opinion of the world than from a private member" of the "board." This will illustrate the tone and spirit in which the proceedings of the government of Calcutta were then carried on. The motion, that Nuncomar be called before the board, was of course carried. The governor-general declared the council dissolved, and departed. Mr. Barwell followed his example. The remaining members denied that an adjournment could take place but by a vote of the majority. General Clavering took the chair, and the three associates proceeded to examine Nuncomar. After he retired, a messenger was sent to Hastings, apprizing him of the fact, and inviting him to resume the chair. Hastings refused to reply to this, as a message from the board; but sent his compliments to General Clavering, Mr. Monson, and Mr. Francis, and begged to decline meeting

CHAP. IX. them in council at so late an hour, and when it was not possible to assemble a full board, from Mr. Barwell being gone into the country; but expressed a hope of meeting them in the revenue department on the following day. The next step of the majority was, to pass a resolution, declaring that it appeared that money to the amount of three lacs and fifty-four thousand rupees had been received by the governor-general in the manner described by Nuncomar, and that such money of right belonged to the East-India Company—a resolution naturally enough followed by another, calling upon the governor-general to pay the amount into the Company's treasury for their use. The secretary conveyed these resolutions to Hastings, who refused to receive or to give any answer to them. Another resolution was thereupon passed, that the proceedings should be transmitted to the Company's attorney, for the purpose of being submitted to counsel for their opinion how to proceed for the recovery of the money. On a future day, it was resolved to summon certain witnesses: Hastings advised them not to attend. The majority resolved that the refusal was a high indignity to the board. The governor-general once more declared the board dissolved, and retired; whereupon those who remained passed a resolution, declaring that the board was not dissolved. The secretary was ordered to summon the contumacious witnesses, but they were not to be found. One of them subsequently appeared, but was not subjected to any punishment

The struggle now assumed a more serious character. Proceedings were instituted in the supreme court against Nuncomar and some other persons for conspiring to cause a native, named Camul-oo-Deen, to write a petition to the council, reflecting falsely and injuriously on the governor-general, Mr. Barwell, Mr. George Vansittart, and some natives. The inquiry occupied twelve hours; and its result was, that Nuncomar and another person, a European, were required to give security to appear to take their trial at the next assizes.* On the day after this took place,

* So it appears from Hastings's letter to the Court of Directors, 16th May, 1775. A paper of the same date, signed by General Clavering, Colonel Monson, and Mr. Francis, states the same fact, with the addition, that all the parties to the prosecution, except Mr. Hastings and Mr. Vansittart, had retired from it, and that the accused were held to bail at their suit only. In another paper, dated the 3rd August following, the same members of council say—"The Rajah (Nuncomar) was summoned to attend a meeting of the judges on the 20th April last, when he and Mr. Fowke underwent an examination of several hours, upon a charge of conspiracy against the governor-general and others. It appeared to us, that the evidence, *ex parte*, against them could not be very strong or conclusive, since they were not held to bail, and the gentlemen against whom they were supposed to have conspired had four days allowed them to consider whether they would prosecute or not." The date here given, the 20th April, is that assigned by Hastings as the date on which the parties were held to bail. On neither side, indeed, does there appear to have been scrupulosity as to the mode in which the transaction was reported. Hastings conceals the facts, that the charge of criminality extended to other persons as well as the two held to bail, and that part of the accusers had abandoned the prosecution; while Clavering, Monson, and Francis, after stating, on the 16th May, that Nuncomar and another were held to bail, asserted, within three months afterwards, that they were not.

CHAP. IX. the "gentlemen of the majority," as Hastings called them, expressed their sympathy with Nuncomar by a visit of ceremony. What might have been the result of the prosecution for conspiracy is left to conjecture; for, before it could be brought to trial, Nuncomar was the object of an accusation far more grave in its character and more fearful in its consequences. He was apprehended on a charge of forgery. The majority of the council, as might be expected, ranged themselves on the side of the prisoner; and circumstances conspired to afford them an opportunity of manifesting their regard for him, by elevating his son to an office of the highest trust and dignity. About the time of the apprehension of Nuncomar, the discovery was made that of the sum appropriated to the support of the Nabob, a part only had been applied to its professed object. Munny Begum was forthwith suspended from the exercise of her functions of guardian to the prince, and the charge was conferred on Goodias.

Nuncomar was committed, tried, found guilty, and hanged. This was the first instance in which the punishment of death had ever been inflicted in India in retribution of the crime of forgery. The excitement produced by it was proportioned to the novelty of the event. Nuncomar, too, was a man of great wealth—he had been possessed of extraordinary power: the subjecting such a man to an infamous punishment was scarcely less startling than the disproportion which, in native judgment, existed between the offence and its consequences. Above

all, Nuncomar was a Hindoo of the highest caste. As a brahmin, his person was regarded as inviolable. Had he committed all possible crimes, banishment,* mitigated by the privilege of carrying away all his property, was the severest penalty to which he could be subject; and, by his countrymen, forgery was scarcely deemed a crime at all. Under the influence of all the feelings excited by this unprecedented case, no native expected that the sentence of the court would be carried into effect.† The approach of the day of execution, without any intimation of the postponement of the fatal punishment, scarcely affected their belief. It came, and with it the awful preparation for inflicting the last penalty of the law. Nuncomar met it with even more than Hindoo apathy. He took solemn leave of his friends; but neither his countenance, deportment, nor intervening occupations indicated any internal conflict. After the departure of those on whom his eyes were never again to rest, he engaged himself in writing notes and examining accounts, as though transacting ordinary business under ordinary circumstances. He entered with a calm step the palanquin which was to bear him to an ignominious death, and ascended the steps of the scaffold with equal firmness. The crowd collected was immense.

* See Volume I. pages 6 and 7.

† A native had been convicted of forgery, and sentenced to death, by the Mayor's court of Calcutta, which court was superseded by the supreme court; but he had not been executed. He was recommended to the mercy of the Crown, and finally pardoned.

CHAP. IX. The Hindoo portion of it was convulsed by conflicting feelings of doubt, rage, despair, shame, and pity. The Mahometan spectators, it is said, felt joy at the downfal of the artful and unrelenting enemy of Mahomed Reza Khan. The feelings of the one party were soon to be outraged, and those of the other gratified, by the conclusion of the spectacle which had brought them together. The signal was given—the platform on which the criminal stood prepared for death sunk from beneath his feet, and the spirit of Nuncomar was on its way to a more awful tribunal than that before which he had lately appeared. The effect upon the Hindoos, who formed the great mass of the assembled crowd, resembled that of an earthquake. Uttering a wild and piercing cry, they fled from the spot—force and panic carried with them the rest of the multitude, so that none remained near the place of execution but the servants of the law, and the few brahmin followers whose duty it was to take charge of the culprit's body.

The trial and execution of Nuncomar have given rise to discussions almost without number. The legality of the proceedings has been questioned—their justice denied—and the motives of those engaged in them impugned. The supposed illegality rests upon the assertion that the criminal law of England does not extend to its outlying possessions, unless they be specially named. This is a question purely technical, and far too important to be discussed incidentally. For these reasons, it may here be passed by. The question of the justice of the

proceedings, which ended in the execution of Nuncomar, stands on different grounds; and, with reference to the violent and long-protracted controversy to which it gave rise, it would not be excusable to pass it over without notice.

In India, the crime of forgery, as has been observed, had never been punished with death. Notwithstanding its dangerous character, it was regarded there as a slight and venial offence, and it may be feared that, if dexterously performed, those who were uninjured by the crime would be more ready to admire the ingenuity of the perpetrator than to condemn his want of honesty. The English law, with its severe provisions against forgery, was unknown to the mass of the people within the circle of the supreme court, and its sudden application, without preparation and without notice, appears similar in effect to that of an *ex post facto* law. The execution of Nuncomar has further been alleged to partake of the odious and unjust character of such a law, on the ground that the imputed forgery was committed about four years before the erection of the court which took cognizance of it. In opposition to the first of these positions, it has been urged, that ignorance of the law is never held to afford an excuse for the breach of it, and that all parties subject to its operation are supposed to be acquainted with its provisions. To the second, it is answered, that although the supreme court of judicature was not in existence till 1774, there was previously in Calcutta a court administering English

CHAP. IX. law, and which had in one instance convicted a native of the same offence as that with which Nuncomar was charged.* It has been doubted whether that court ought to have exercised any criminal jurisdiction with regard to natives; but such jurisdiction had been exercised by it, and the supreme court was the legitimate successor to its functions.

This objection, therefore, may be dismissed. It might not have been an improper one to urge in arrest of the judgment of the court which condemned Nuncomar, but it cannot be admitted to influence the opinion of those who have now to review the proceedings in his case.

The answer to the first objection is less satisfactory. It is true that ignorance of the law is not permitted, and cannot be permitted, to operate as a bar to the conviction of an offender; but a merciful judge will always take note of such ignorance, if real, in apportioning punishment. Neither must it be forgotten, that the ignorance of a Hindoo of that time of the provisions of English law is altogether different from the ignorance which exists in any country of the law under which the people of that country and their ancestors have lived. Not only was the law of comparatively recent introduction, but it was in many respects so much at variance with all their previous experience, knowledge, habits, and modes of thought, that while the best informed among them must have found difficulty in understanding it, it was to those less advantageously situated a collec-

* See note on a former page.

tion of strange things, of which their imaginations could embody no lineament or feature. Under such circumstances, the harshness of inflicting upon ignorance the same punishment which is assigned to deliberate and conscious disobedience, is of an aggravated character. It is true, indeed, that the offence punished in the person of Nuncomar was not like offences against the revenue and some others — the pure creation of the law. No man whose moral perceptions are sound can doubt that in resorting to forgery to deprive another of his property he is doing wrong: but the moral perceptions of those among whom the English law was thus suddenly introduced were not sound; they were corrupted and debased by the false medium through which successive generations had been accustomed to contemplate their rights and duties, and to some of the plainest dictates of morality they were insensible. To men thus surrounded by contaminating influences—men who had never enjoyed the benefit of a pure moral atmosphere, extraordinary consideration was due. The single instance which had occurred of a conviction for forgery in the mayor's court of Calcutta was probably known to few except the parties immediately interested in it. The case of Nuncomar had from various causes attracted unusual attention, and it offered a fitting occasion for making the law known—while the court, by exercising their power of respiting the convict, with a view to the extension of the mercy of the Crown, might have relieved themselves and the law that

CHAP. IX.

they administered from the imputations of injustice and cruelty, which, from their pursuing a different course, have been freely cast upon both. In the discussions to which this extraordinary case has given rise, considerations have been sometimes introduced which ought to be excluded from it. The question of the abstract justice of the law which punishes forgery with death is one of these. With this question the judges had no concern. They had neither the right nor the power to vary the law —their sole duty was to administer it with discretion and with mercy. The evidence, too, on which Nuncomar was convicted, has been impugned; but it was sufficient to satisfy the grand jury that there was good cause to send the prisoner to trial, and sufficient to satisfy the jury before whom that trial took place of his guilt. If the jury were honestly satisfied, it is probable that the court was satisfied also. The conduct of the judges on other occasions shewed that they had no doubt of their jurisdiction; and though they cannot be acquitted of acting with a degree of harshness and precipitancy which it may not be too much to characterize as indecent,* there is nothing to convict them of having acted corruptly. There are motives sufficient to account for their conduct, which, though

* The counsel for Nuncomar endeavoured to prevail on the foreman of the jury, by whom the prisoner had been tried, to join in an application to the judges for the exercise of clemency. The chief justice in open court censured the counsel for this proper attempt to save the life of his client.

not all of a creditable character, are far less injurious to their reputation than that to which the execution of Nuncomar has been often attributed. They appear to have been men of contracted minds, who had satisfied themselves not only that the law of England was the best for the people amongst whom it had grown up to maturity—not only that it was right that the law of England should be introduced and acted upon universally throughout the British dominions, but that it was the duty of all people within those dominions, whether they ever heard of English law or not, to understand it. They entertained no consideration for the wide difference between the country from which the law came and the country in which they were called upon to administer it. Their entire conduct manifested this. Destitute of all enlarged views, either of jurisprudence or of the principles of human nature, the supreme court was to them the world. In addition to this failing, they were influenced by the most inflated notions of their own dignity, and the most extravagant anxiety to extend the jurisdiction of their court far and wide. Whether they were actuated by other motives—whether, within the mind of the chief justice more especially, any of a darker nature operated, can never be known—there is no evidence—there perhaps will be always some suspicion.

Equal obscurity hangs over the question as to the participation of Hastings in this unhappy transaction. The accusation rests entirely on a combination of circumstances, which might have been

CHAP. IX. fortuitous. Nuncomar had stood forward as the accuser of Hastings. Hastings had instituted legal proceedings against Nuncomar and others for an alleged conspiracy. The charge does not appear to have been very readily susceptible of proof; and the general opinion seems to have been, that it would fail. Exactly at the time when, if Hastings were guilty, and the accuser capable of substantiating his charge, it was most important to the governor-general that he should be removed, Nuncomar is apprehended on a charge of forgery committed several years before—the prosecutor being a native, who, it may be presumed, shared in the dislike of the supreme court believed to have been then generally entertained by his countrymen. The accused party is tried and convicted. The court have the power of respiting the sentence; and, with reference to the unusual circumstances of the case, respite seems desirable. They, however, refuse; and the chief justice, who had been the schoolfellow of Hastings, and remained his personal friend, manifests some displeasure at an attempt of the prisoner's counsel to procure an application for clemency. The prisoner is executed: his fate is ascribed to his hostility to the governor-general; and it is alleged, that men were thenceforward afraid of preferring charges against that functionary. Such is the case against Hastings. On the other hand, it is urged, that the prosecutor in this case was a person with whom Hastings had no connection; that he could not interfere with the proceedings of the supreme court;

that Nuncomar, from the moment of his apprehension to that of his execution, was in the hands of the law; and that it was not in the power of the governor-general either to accelerate or to suspend his punishment. All this is unquestionably true; and it is not less true that, in the sifting inquiries which at a later period took place into this proceeding, when evidence was sought with a degree of assiduity rarely exercised, no evidence was found; and whether Hastings, in relation to the trial and execution of Nuncomar, was guilty or unfortunate, is a question which can never be satisfactorily answered. It is involved in that impenetrable mystery which hangs over so much of the public life of that remarkable man.

The death of Nuncomar was succeeded by a comparative calm. The state of feeling in the council remained unaltered, and the majority continued to determine and to act without reference to the views of the governor-general and the single member who supported him. But the stream of accusation, which had set so strongly and so formidably against Hastings, ceased to flow. Men were appalled by the fate of the chief accuser, and the governor-general enjoyed a degree of peace in this respect, to which he had long been a stranger.

Soon after the intriguing life of Nuncomar had been closed by an ignominious death, his old rival, Mahomed Reza Khan, attained a triumph. The Court of Directors having become satisfied of his innocence, and of the infamy of his accuser Nunco-

CHAP. IX. mar, had directed his restoration to office. There was some ambiguity in the orders of the Court, and the two parties in council, in conformity with what was now long-established custom, adopted different constructions of them. The will of the majority was, that Mahomed Reza Khan should be restored to his former charge, which involved the duties which had been assigned to Goodias. The latter, however, was consoled in some degree for his loss, by appointment to another office; but inferior in trust, dignity, and emolument to his former post.

Little occurred at the board to disturb the monotony of eternal bickering till the death of Colonel
A.D. 1776. Monson, which took place in September, 1776. This event reduced the two parties in council to an equality in point of numbers; but as the governor-general had the casting vote, its effects were to reverse the former position of the combatants, and to throw into the hands of Hastings all the power which his opponents had previously exercised. What followed may readily be anticipated. Hastings exercised his long-lost authority in the same spirit which actuated its former possessors; and he proceeded without ceremony to annul such of their acts as were most offensive to him. When the council insisted on the recal of Mr. Middleton from Oude, the functions of the resident had been temporarily vested in the officer commanding the brigade. After a time, the board agreed to appoint a civil servant to the office of resident; but they were far from agreeing as to the person who should be selected for

the purpose. The governor-general proposed the Honourable Frederick Stuart. The opposing majority refused to concur: they proposed a gentleman named Bristow; and holding the power in their own hands, their proposal, as a matter of course, was carried.* Shortly after the death of Colonel Monson, Hastings retaliated by proposing the recal of Mr. Bristow, and the re-appointment of Mr. Middleton. General Clavering and Mr. Francis stoutly resisted; they talked loftily of the injustice done to Mr. Bristow, in removing him from a situation which he had filled with credit to himself and advantage to the Company, and for no other avowed reason than to give his place to another; but argument and declamation were alike vain. The foot of the governor-general was upon the necks of his opponents; he remembered how they had employed their power while power rested with them, and seemed resolved that they should have some experience of the mortification which he had endured. He persevered, and it was decided that Mr. Bristow should give way to Mr. Middleton. Both parties agreed in declaring that there was no objection to either Mr. Middleton or Mr. Bristow—that both were well fitted for the duties of the office of resident. They thus alike admitted that their motives were to a great extent factious. Hastings, indeed, cannot be greatly blamed for restoring a man of acknowledged competency to an office from which he had been somewhat capriciously removed; but, on the other hand, it must not be

* See page 66.

CHAP. IX. forgotten that, in this instance at least, the contest had been in some degree provoked by the pertinacious refusal of Hastings to submit the unmutilated correspondence of himself and the resident to the board. A still less excusable act of retaliation was perpetrated with regard to a civil servant, named Fowke, who had been appointed under the ascendancy of the late majority to a situation at Benares. This gentleman and his father had taken part with the opponents of Hastings, and under the pretence that the duty assigned to Mr. Fowke was special, and had been performed, he was removed. Immediately afterwards, another civil servant was appointed to reside at Benares, with an assistant bearing the name of Hastings's constant supporter, Barwell. If in the removal of Mr. Bristow, and the re-appointment of Mr. Middleton, Hastings had some grounds of justification, in the case of Mr. Fowke there were none. It was, as described by General Clavering, "a vindictive measure couched under the appearance of a public service."* In this spirit was the business of the Indian government conducted till the authority of Hastings was once more shaken by the arrival of intelligence of a new arrangement for carrying on the government, in which the name of Hastings did not appear. General Clavering was to be governor-general, and Mr. Wheeler, formerly a director, was nominated to the vacant seat in council.

To explain these changes, it will be necessary to

* Minute, 2nd December, 1776.

refer to the course of events by which they were brought about. CHAP. IX.

Wearied with the annoyances of his situation, Hastings formed the determination of resigning his office; and two gentlemen, Mr. Graham and Colonel Maclean, seem to have been intrusted with authority, under certain circumstances, to tender his resignation. The latter only appears to have acted in the business,* and his proceedings partake, in no small degree, of that mystery which hangs over almost every thing connected with the name of Hastings. On Colonel Maclean's arrival in England, he found the state of feeling in almost every quarter unfavourable to his principal. The administration were decidedly hostile, actuated partly by the representations which they had undoubtedly received from the members of council opposed to the governor-general, and partly by a desire to bring the entire government of India within the sphere of their patronage. The Court of Directors had passed resolutions condemning the policy of the Rohilla war, and expressing an opinion, that the whole of the correspondence between the governor-general and Mr. Middleton, resident at Oude, ought to have been laid before the council. These resolutions were subsequently adopted by the general court; a prefatory clause being, however, introduced, recognizing the services and integrity of the governor-general, and

* Colonel Maclean appears to have been fond of agencies. While acting for Hastings, he was at the same time agent to the Nabob of Arcot, the ever-intriguing Mahomet Ali.

CHAP. IX. acquitting him of all suspicion of corruption. On some other subjects, the Court of Directors visited the conduct of Hastings and his associate Barwell
A.D. 1776. with censure. On the 8th May, 1776, a motion was made and carried for an address to His Majesty, praying their removal from office.*

On hearing of the intention to bring forward the motion, Hastings's agent made overtures both to the ministers and to influential directors, with a view to accommodation.† They appear to have been nugatory, and the friends of Hastings having, as one of them observed, "nothing to lose by a defeat,"‡ determined to try the result of a general court. To that tribunal they accordingly appealed, with a view to reversing the decision of the Court of Directors. A requisition being obtained, a general court was summoned for the 15th of May; and on that day it was moved, that it be recommended to the Court of Directors to reconsider their resolution for procuring the removal of Mr. Hastings and Mr. Barwell from office; and that they should report to the general Court of Proprietors, as speedily as possible, their proceedings on such recommendation, before any further steps should be taken in the business. The court, on this occasion, was thronged

* It will be recollected, that the governor-general and council were appointed by act of parliament for five years, and were irremovable, except by the Crown, on the application of the Court of Directors.

† See letter of Colonel Maclean, in Gleig's Memoirs of Hastings, vol. ii. page 58 *et seq.*

‡ Colonel Maclean.

by peers, privy councillors, and adherents of administration. Treasury influence is said to have been employed to a great extent against Hastings; and the first lord of the admiralty, the Earl of Sandwich, is represented as having been unusually active in aiding the cause with which the ministry had connected itself. The debate was protracted till the approach of midnight, when the friends of Hastings proposed to adjourn to the following day. The ministerial party opposed, and, on a division, the motion for adjournment was lost. Hastings's supporters then demanded, that the question which had been the means of calling the court together should be determined by ballot. The result was victory to the cause of the governor-general, the motion of his friends being carried on the ballot by a majority of one hundred and six.* CHAP. IX.

On the 10th July, the resolution for removing the A. D. 1776.

* Minutes of the general court, M.S. Hastings's agent represents this defeat as a grave annoyance to the ministry. He says, "It has given great offence to the administration. I have never known them so sore on any defeat. So great a majority has stunned them. Lord North cannot bear the least mention of the India House, directors, or proprietors. He will have nothing to do with India matters out of parliament. 'The Company must be restricted to its commerce; territorial acquisitions are beyond their abilities to manage, and must be taken from them without waiting for the expiration of the charter. For this purpose parliament must meet before Christmas; in the meantime the proprietors may do what they please—the more violent and absurd their actions the better.' This is now the language of the ministerial party, and they have held it uniformly since their defeat." —Letter from Colonel Maclean, Memoirs of Hastings, vol. ii. pages 65, 66.

CHAP. IX. governor-general and Mr. Barwell was rescinded by the Court of Directors with regard to Mr. Barwell, and on the 16th the like indulgence was extended to the governor-general. Notwithstanding this, some of the friends of Mr. Hastings seem to have entertained little hope of maintaining him in the chair at Calcutta in opposition to the powerful interests arrayed against him. Colonel Maclean appears to have been engaged in a long and somewhat complicated series of intrigues, the object of which was to enable Mr. Hastings to quit office with some degree of credit. Honours from the Crown were talked of, but these, it was intimated, could not be conferred. A series of propositions seem, however, to have been at length agreed upon by Colonel Maclean and Mr. Robinson, a confidential servant of the ministry, which were to serve as a basis for peace.*

The minister being propitiated, Hastings's agent turned to the Court of Directors. At a court held
A. D. 1776. on the 11th of December, a letter from him was read. It stated that Mr. Hastings, seeing the ne-

* Some of these are remarkable. The articles of the treaty were five in number; the fourth provides "that all retrospect and prosecution previous to the late act of parliament affecting the supreme council cease and determine, and in case any informer infringe this article, administration shall give their aid to defeat it." The fifth stipulates "that Mr. Hastings shall be well received on his return; a vote of thanks promoted, if moved for; and nobody to be displaced." See Gleig's Memoirs of Hastings, vol. ii. page 82. The entire details of the negotiation, as narrated by Colonel Maclean, are highly amusing. The information does not come through the cleanest channel; but there is no reason for doubting its general accuracy.

cessity of unanimity in the supreme council of Bengal for conducting the affairs of the Company there, and for establishing any permanent system of government for the good and prosperity of the country, finding from the unhappy divisions which have occurred in the supreme council, that such was not likely to subsist, and having anxiously on every occasion studied to promote the welfare of the Company, a course which he would ever continue, had, from these motives, authorized the writer, Colonel Maclean, to signify his desire to resign the office of governor-general, and to request the court to nominate a successor to the place which would thereby be vacated in the supreme council. On the 18th the letter was taken into consideration.* On this day, also, Colonel Maclean was called in, and a question was proposed to him as to his authority. This was certainly a natural and proper inquiry, but it appeared that the agent was not prepared to answer it unconditionally. He professed to be quite ready to give the court satisfaction, but intimated, that in the papers to which he must refer, the subject of his powers was mixed up with other matters "of a nature extremely confidential;" and he therefore proposed, instead of laying them before the court, to submit them to the inspection of three of the directors specially deputed for the purpose of examining them. The court agreed

* This letter had been a subject of conversation between Colonel Maclean and his treasury friend Robinson, and the latter is stated to have drafted it. See Memoirs of Hastings, vol. ii. p. 85.

CHAP. IX. to the proposal, and Mr. Roberts, the chairman, Mr. James, the deputy-chairman, and Mr. Becher were empowered to make the requisite inspection. They reported that Colonel Maclean had shewn them certain papers relating to his powers, and had informed them that he had more. On a future day they further reported that, from the purport of Mr. Hastings's instructions, contained in a paper in his own handwriting, given to Colonel Maclean, and forwarded by him to them, Mr. Hastings declared that he would not continue in the government of Bengal unless certain conditions therein specified could be obtained, of which they saw no probability; that Mr. George Vansittart had assured them that he was present when these instructions were given to Colonel Maclean, and when Mr. Hastings empowered that gentleman to declare his resignation to the court, and that this had been confirmed by Mr. Stuart, who stated that Mr. Hastings had informed him that he had given instructions for this purpose to Colonel Maclean. The court determined the evidence of the colonel's authority to be sufficient, and a resolution that the resignation be accepted was carried unanimously; the friends of Hastings supporting the resolution, because they thought it in accordance with his interests and wishes; his enemies, because it gratified their long-cherished desire to be rid of him. Mr. Wheeler was then nominated to succeed to the vacant place in council, and a petition to the Crown praying the appointment of that gentleman agreed upon.

The consent of the Crown gave effect to the nomination of the court, and the new appointment was formally announced to the Government of Bengal. The news raised a storm exceeding in violence any that had previously occurred. Hastings repudiated the acts of Colonel Maclean, and determined to retain his post at the head of the government: General Clavering was equally bent on assuming the dignity, to which he conceived himself entitled. Both proceeded to exercise the functions appertaining to the disputed office, both issued summonses for meetings of council, and each found a follower. Mr. Barwell answered the summons of Hastings, and Mr. Francis that of General Clavering; there were thus two councils sitting at the same time under the authority of two different persons, each claiming to be governor-general.

The effects of these contests might have been seriously disastrous; the manner in which they were carried on almost partakes of the ludicrous. Mr. Barwell, on taking his place at the council called by Hastings, informed the "board" (consisting of Hastings and himself) that on his way he had received a note requiring his attendance at the council at which General Clavering was to preside. Before the minute which was to record this fact was completed, a letter, addressed to "Warren Hastings, Esq.," without further appendage, was put into the hands of the person thus designated. It was from General Clavering. After recapitulating the steps by which the assumed change in the go-

CHAP. IX.

vernment had been effected, Hastings's competitor required that the keys of Fort William and of the Company's treasury should be delivered to him, and intimated his intention of being at the council-house at a specified hour to receive them, unless Hastings should prefer any other method of complying with the requisition; one condition only being insisted upon—that the surrender should take place in the course of the day. The answer of Hastings and Barwell was that they knew of no act or instrument by which the office of governor-general had been vacated, nor by which it had devolved upon General Clavering; and that they would maintain, by all legal means, the authority and trust conferred by the act under which the existing government was constituted.

The rival council in the meantime had met. General Clavering had taken the usual oath as governor-general, and, in concert with Mr. Francis, had framed a proclamation announcing the change in the government, publication of which was ordered to be made without delay. It was also to be translated into the Persian and Bengalee languages, but the Persian translator refused to perform his office. The secretary was less scrupulous; he had readily obeyed the instructions of General Clavering, but subsequently received orders from the other party not to summon any council without the order of Hastings as governor-general, nor to perform any official duty without his authority, or that of a majority of council assembled under it. He was

also required to send to the council convoked by Hastings the despatches from Europe which had excited this ferment. His answer to the former of these instructions was an apology for having acted under the orders of General Clavering in summoning a council in his name; to the latter he replied by stating that the despatches had been delivered to the party whose authority he had thus recognized. Scarcely had the secretary made report of these circumstances to General Clavering and Mr. Francis, when Mr. Barwell presented himself before them. He was asked whether he meant to take his place as a member of council, but on this point he maintained an obstinate silence. His business was to obtain possession of the fatal despatches which had thrown the government into confusion, and he requested that they might be delivered to him. General Clavering replied, "The council is sitting, I cannot part with them." The applicant, without arguing the right of the alleged council, inquired at what time he could have the letters: this produced a question as to the authority by which he demanded them. Still Mr. Barwell refrained either from impugning the authority of those whom he addressed, or asserting that of Hastings. He replied that he required the despatches as a member of the council of Bengal, in which capacity he was entitled to peruse and take copy of any public papers. This privilege it did not suit the schismatical board at that moment to recognize. General Clavering answered, "You have heard them read

CHAP. IX.

once; you may hear them read a second time." Mr. Barwell demanded to know whether the papers would be delivered to him or not; the General replied that he was not there to answer interrogatories, and repeated his former intimation, that the inquirer might hear the despatches read. The demand for the delivery was then made in a more formal manner. General Clavering refused to vary his answer. Mr. Barwell ordered the secretary to send him the papers in dispute as soon as they came into his possession; and thus this extraordinary conference ended.

Hastings, however, remained firm in the assertion of his authority. The commandant of the garrison of Fort William, the commanding officers at the various stations, the provincial councils and collectors were all formally reminded that their obedience was due only to Hastings, as governor-general, and the majority of the council, and warned against yielding it to any other authority. To strengthen his claim by the sanction of the accredited interpreters of the law, Hastings appealed to the judges of the supreme court: his opponents acquiesced in the appeal. They appear, indeed, to have possessed little confidence in their own views; for, with reference to the appeal to the judges, they resolved to suspend the execution of all the orders which they had passed. The decision of the judges was in favour of Hastings, who used his victory in a manner as little creditable to his character for discretion as for good feeling. With the aid of his steady adhe-

rent, Barwell, he passed a series of resolutions singularly intemperate, vindictive, and absurd. After reciting the acts performed by General Clavering, under his assumed authority, they declared not only that by those acts he had usurped the office of governor-general—a proposition which the decision of the judges would have justified—but that the general "had thereby relinquished, resigned, surrendered, and vacated the office of senior councillor of Fort William," as well as the place of commander-in-chief of the Company's forces in India; that Mr. Barwell had thereby become senior councillor; that the office of commander-in-chief no longer existed; and that, for "the preservation of the legality of" their "proceedings, General Clavering should not in future be summoned or admitted as a member of council." These proceedings seem to have excited considerable alarm in the enemy's quarters. Mr. Francis attended the next meeting of council, and prefaced a motion for reversing the resolutions respecting General Clavering, with a representation of the dangers which surrounded the government, of the evils which had arisen from passion and precipitancy, and of the necessity for recurring to a more moderate and prudent course. He claimed for himself credit in regard to his immediate and implicit submission to the decision of the judges, and implored that he might be allowed to act the part of a mediator. In this character he urged the reversal of their late proceedings: he referred to the origin of the existing government; contended that there

104951

CHAP. IX.

were only four ways by which the right of General Clavering to the place which he had previously occupied in council could be voided—by death, resignation, removal by the Crown, or succession to the office of governor-general, and that none of these events had taken place. He asked, "of what avail then is your declaration that his place is vacant in the form and manner prescribed by the law?" and demanded whether those who had passed the declaration were prepared to support it by a military force. "This," he said, "is not the language of menace, nor intended so; it is the language which your true friends, if you have any, should hold to you in the most perilous state in which it is possible for you to be placed." On the claims of General Clavering to hold the office of commander-in-chief of the Company's forces in India, he held a similar line of argument, varied only with reference to the different circumstances of the appointment. Mr. Francis was answered by Mr. Barwell, who expressed his belief in the legality of the resolutions passed on General Clavering, and his determination to uphold them, but did not sustain his opinion by any redundancy of argument. The governor-general, in the unrelenting spirit which he so frequently manifested, maintained the legality and necessity of excluding General Clavering from council. But General Clavering and Mr. Francis had appealed to the judges of the supreme court. The judges unanimously decided that the council had no power to remove one of its members or declare his seat va-

cant. They could not indeed have decided otherwise, without publicly exhibiting themselves as unfit to occupy the seat of justice. No man of common understanding and ordinary information, whatever might be the degree of his knowledge or ignorance of the law, could entertain any doubt on the subject. Those who thus sought to rid themselves of a disagreeable associate, could not believe that they had any right to the power of which they assumed the exercise. They contended that Hastings was still governor-general; that there had been no vacancy in the office; and that consequently General Clavering could not have succeeded to it. It necessarily followed that he remained in the position which he occupied before, for he had not resigned his place in council for the purpose of obtaining the office of governor-general and then failed to attain his object; his ceasing to be the second member of council was only an incident of his supposed elevation to the rank of the first; and if his assumption of the title and authority of governor-general were a nullity, all that was merely incidental upon that assumption, and was dependent upon it for force and validity, was alike null and void of effect. The opponents of Hastings had done much to irritate him; but by this most extraordinary attempt to deprive one of them of the power of giving him further annoyance, the governor-general put himself so completely in the wrong, as to leave his conduct in this respect without the shadow of justification or excuse.

In looking back upon these events with the calm-

CHAP. IX.

ness of feeling which the actors in them could not maintain, it is impossible not to be struck with the violence and precipitancy manifested by all parties. General Clavering in assuming the government had a pretence barely colourable, and it is scarcely conceivable that he could have believed it more than colourable. The instrument under which the proposed change in the government was to be effected, referred to Hastings's resignation not as an act that had been performed, but as an act contemplated: "Whereas the said Warren Hastings hath caused notice to be given to the said United Company that he desires to resign the said office of Governor-general of Bengal."* The succession of General Clavering to the office of governor-general, which was not dependent on any thing but the occurrence of a vacancy, was spoken of as something future:—"And whereas, upon such resignation of the said Warren Hastings as aforesaid, the said John Clavering, according to the directions of the said recited Act of Parliament, will succeed to the said office of governor-general;" and the appointment of Mr. Wheler to a place in council was to have effect "from and immediately after" the office should "become vacant by the resignation of" Hastings. The parties interested in dispossessing Hastings, indeed, maintained that these forms of expression had reference only to the retention by Hastings of the powers of governor-general till the arrival of the instrument in India; and that the intention to resign had been

* Commission appointing Mr. Wheler, 23rd October, 1776.

accepted by the Court of Directors as a real resignation, and acted upon accordingly. They also urged the possible inconveniences that might arise from the non-fulfilment of a promise to resign, after the necessary measures had been taken to supply the vacancies which would be created by such resignation. These inconveniences are obvious; but still it is clear that the expression of an intention to resign is not a resignation; and though a person in the position of Hastings may justly be reproached with levity, or something worse, for raising an expectation that he is about to resign, and failing to realize it after all the arrangements for providing for the consequences of such a step are complete, yet if his formal resignation be necessary to give effect to those arrangements, no one can benefit by them until it be made. The instrument under which General Clavering claimed to take upon himself the office of governor-general did not supersede Hastings. Anticipating the retirement of the governor-general, the Court of Directors nominated a new councillor, and the Crown confirmed the nomination; but the operation of these acts was contingent upon an event which depended on the judgment or the caprice of the person whose removal was to create a vacancy in council. There is therefore no difficulty in determining that General Clavering, in assuming the office of governor-general, and Mr. Francis, in abetting him in the assumption, acted illegally as well as unwisely.

The conduct of Hastings is free from the impu-

CHAP. IX. tation of illegality: he had a right to retain his office if he so pleased; the question remains whether he was morally as well as legally justified. The precise powers which he conveyed to his agents cannot be ascertained. He gave them two papers, one laying down certain conditions as indispensable to his retention of the government, the other explanatory of one of those conditions.* Whether there were any further instructions in writing Hastings professed to be unable to recollect, and there are no satisfactory means of supplying the deficiency of the governor-general's memory. More than these two papers appear to have been shewn to the select three appointed by the Court of Directors to confer with Colonel Maclean, for it is recorded that Hastings's agent had laid before them "several papers," and "had acquainted them that he had more to produce relative to the powers with which he was invested."† It seems, however, that the acceptance of the supposed resignation, as far as it rested on documentary ground, was based on Hastings's declaration, that unless his conditions were complied with he would not continue in the government; and upon this, aided by the avowal of Colonel Maclean that he had authority for what

* Letter of governor-general to Court of Directors, 15th August, 1777. Hastings speaks of the conditions as applicable to his being confirmed in the government; an extraordinary expression, as he was already in possession of the government under the provisions of an act of parliament, and could not be removed without the exercise of the joint authorities of the Company and the Crown. He certainly needed no confirmation.

† Minute of Court of Directors, 8th October, 1776.

he did, and the testimony of Mr. George Vansittart and Mr. Stewart, the court proceeded. Hastings affirmed that Colonel Maclean had exceeded his instructions; and to discredit the evidence by which the alleged authority of his agent was confirmed, he observed, that he had never called upon the parties from whom it proceeded to be witnesses to any transactions, nor ever authorized them to give testimony.* These statements might be true; but if Mr. Vansittart was, as he stated, present when the instructions were given to Colonel Maclean, and Mr. Stewart received a confirmation of them from the lips of the governor-general at a future period, their evidence was nothing the worse because they had not been formally invested with the character of witnesses. Hastings himself acknowledged that he knew one of these gentlemen to possess judgment and probity, and believed the same of the other:† as men of judgment they were not likely to misunderstand the governor-general—as men of probity they would not misrepresent him. It is remarkable, too, that Hastings never denied having given the alleged instructions, but only disavowed all recollection of them, and added plausible reasons to shew how unlikely it was that he should have given them. "I can only say," he observes, "that I do not retain even the faintest idea of having given such a commission; nor can I conceive the necessity of empowering others to do, in my name, an

* Hastings's letter to Court of Directors, 15th August, 1777.

† Letter, ut supra.

CHAP. IX.

act which must have waited for my ratification, and which it was at all times in my own power to perform for myself without agency."* The latter part of this specious sentence contains an argument founded on mere semblance, which might be employed reasonably enough by a stranger seeking to unravel perplexed facts, and find motives for actions of uncertain origin, but it is out of place when urged by one who was the principal party in the transaction under consideration, and who surely had not to conjecture the state of facts from plausible appearances, or from a balance of probabilities. The question was not whether the course which Hastings was alleged to have taken was natural or necessary, but whether it had actually been adopted. Hastings ought to have been able to answer this distinctly. To say that he did not recollect having given instructions to tender his resignation, suggests the question, did he not then recollect that he had given no such instructions? It is incredible that a matter of such vast importance should pass from his mind like an idle subject of casual conversation, and that his resignation of the office of governor-general should have been felt to be of so little moment, that he could not recollect whether the man whom he had avowedly entrusted with some power was commissioned to tender it or not.

It has been said, that the power given in this respect was subsequently withdrawn.† This state-

* Letter, ut supra.

† Gleig's Memoirs of Hastings, vol. i. page 533.

ment rests upon a letter addressed by Hastings to Mr. Graham and Colonel Maclean, in which he professes to retract the resolution communicated to them in a former letter. That resolution was to leave Calcutta and return to England by the first ship of the ensuing season, if the advices from that country should convey disapprobation of the treaty of Benares and the Rohilla war, and should "mark an evident disinclination towards" him.* The knowledge of Hastings's intention in this respect was stated to be confined to his agents, who were to use it according to their discretion. This resolution it is that he retracted; and it is clear that the retractation of the governor-general's intentions to take his departure from India at a particular time, if certain circumstances occurred, is a very different thing from the withdrawal from his agents of the discretionary power of tendering his resignation previously given. The powers claimed by Colonel Maclean, and vouched for by Mr. Vansittart and Mr. Stewart, are not referred to in the supposed retractation. It is scarcely possible to doubt that such powers were given.† Why they were not in writing, like the

* Gleig's Memoirs of Hastings, vol. i. page 521.

† Maclean in addressing Hastings refers to those powers in a manner which might convince scepticism itself. See his letters in Gleig's Memoirs, vol. ii. The following is an extract from one of them; it relates to Maclean's interviews with the referees of the Court of Directors. Mr. Becher had asked if the agent had no direct authority to produce. Mr. Maclean says, "I answered, 'No; I believe neither Mr. Hastings nor any of those who were present thought it a matter of so much formality. If certain things were not obtained I was ordered to signify Mr. Hastings's

CHAP. IX. conditions upon which Hastings insisted if he continued in the government, it is not easy to say. One mode of accounting for it is, that at the moment they were given, Hastings contemplated the chance that a change of circumstances might render it convenient to disavow them; and unfortunately neither his public nor private policy was sufficiently marked by straight-forwardness to discredit this supposition. It is certain, moreover, that circumstances had changed. The death of Colonel Monson had left Hastings master of the council, and this event has been generally regarded as the cause of his tenacity of office. Another cause has been suggested, in a virtual breach of the contract concluded between the ministry and Hastings's agent. Immediately after the appointment of Mr. Wheler to a seat in council, it was determined to grace the anticipated accession of General Clavering to the office of governor-general by bestowing on him the order of the Bath. No similar mark of royal favour was to welcome the return of Hastings, and the friends of the latter immediately wrote to the governor-general, giving their opinion that by

wish to be relieved; if they were obtained, I was ordered not to make this signification. But these orders were so strict and positive that I entreated and, with difficulty, obtained some latitude as to the time and mode of notifying this intention. I have now notified to you Mr. Hastings's wish to have a successor appointed, and no blame can lie with me now, but that of having ventured so long to delay it.'"—Gleig's Memoirs, vol. ii. page 88. It thus appears that Maclean's authority was referred to by him as confidently in addressing Hastings himself as others.

this act of the ministry the contract was dissolved, and urging Hastings not to resign.* What degree of effect their representations had upon him cannot be known; how far his purpose of retirement was shaken by the death of Colonel Monson is alike uncertain. It was not to be expected that, in an official exposition of his motives, he should advert either to the unexpected advantage which he had derived from the death of one of his opponents, or to the pique engendered by the ribbon bestowed on another; but his defence addressed to the Court of Directors is not only unsatisfactory, but inconsistent. At its commencement, after recounting the reasons that occurred to him for and against his resignation, he states that his mind was so divided that he could not come to any immediate decision; that he suspended his determination in the hope of his agent returning to India, or of learning by some other means the authorities under which the measures for supplying his place had been adopted; but that, having been disappointed in those expectations, he had determined at length to declare that he did not hold himself bound by the acts of Colonel Maclean. Towards the conclusion of the same document, he says that, notwithstanding his agent's want of authority, he had intended to comply with the engagements made in his behalf. He does not distinctly state the causes which led to the abandonment of this alleged intention, but he

* See letters of Col. Maclean and Mr. Stewart in Gleig's Memoirs, vol. ii. pp. 95 and 97.

CHAP. IX.

appears to ascribe it to the conduct of General Clavering and Mr. Francis. That which is wanting in his public despatch is supplied in his private correspondence. In addressing Lord North, soon after the storm raised by General Clavering's assumption of the office of governor-general, Hastings says, "I was not pleased with the engagement made for me by Mr. Maclean—I will candidly own it; but I held myself bound by it, and was resolved to ratify it. This was my resolution; but General Clavering himself has defeated it, by the attempt to wrest from me by violence what he could claim only as a voluntary surrender; by persisting in asserting his pretensions to all the rights and functions of my office from a time already passed, and independent of my option, and by his incapacity to possess the government, after having by his own acts and declarations vacated the place from which alone he could legally ascend to it."* In this last sentence Hastings revives the ridiculous plea that General Clavering had vacated his seat in council; a plea which the judges of the supreme court had already disposed of, and which no man of common sense could seriously maintain. If, however, Hastings were wavering as to his decision, the violence of General Clavering was not ill calculated to expedite and direct it. The mark of ministerial favour bestowed on the general, and the

* Letter of Hastings to Lord North.—Gleig's Memoirs, vol. ii. page 159. In other letters Hastings held similar language. See the same volume, pages 156 and 164. In one of these letters he adverts to a minute in which his approaching retirement was referred to.

representations of Hastings's friends in England of its impropriety, might also have some effect. These things might enter into the motives of Hastings's conduct, or they might not. Here, as elsewhere, those motives are involved in so much mystery that the man who retires from the task of scrutinizing them, with a perfect conviction of the success of his labours, must be gifted with an extraordinary degree of confidence in his own powers of discovering truth.* CHAP. IX.

It is no part of the duty of the historian to vindicate the character and conduct of Hastings's agent, Colonel Maclean. He was obviously an intriguing man, and there is abundant reason to believe that he was an unscrupulous one; but it being presumed that Hastings had given him the authority which he claimed, there does not appear any ground for accusing him of either mistaking or neglecting

* Hastings surrounded every act of his life with mystery. In a letter to his friend Mr. Sulivan, dated 29th June, 1777, after stating that he had written to Mr. Dunning, he says, "I have now no channel to Lord North *nor encouragement to write to him;* yet I wish it were possible to make him acquainted with the late proceedings, especially those of General Clavering and Mr. Francis on the 20th inst."—Gleig's Memoirs, vol. ii. p. 172. It is scarcely credible, yet it is true, that on the very same day on which he thus wrote to Mr. Sulivan, he addressed Lord North, to whom he had "no encouragement to write," giving him an account of the very transactions which he so much wished to bring to the minister's notice, but, as he represented, wanted a channel.—See the above volume, page 157. It is remarkable that in his letter to Lord North Hastings does not deny the authority of his agent, he only expresses himself dissatisfied with the engagements made by him.

CHAP. IX.

the interests of his principal. He found the ministry desirous of removing Hastings, and a majority hostile to him in the Court of Directors; he might reasonably, therefore, conclude that the voluntary retirement of the governor-general was the safest and most graceful course that could be taken. The conditions demanded by Hastings, he was informed, were not likely to be granted; and the non-compliance of the court with his wishes in this respect was to be the signal for his retirement. Hastings had other friends in England besides Maclean, and they all appear to have been convinced that the time for the governor-general to withdraw had arrived. Hastings, indeed, had, both publicly and privately, intimated his intention of suspending his resignation; but it was only till the judgment passed upon him at home could be ascertained. That event had taken place —the Court of Directors had decided against him, and determined on his removal. It is true that the Court of Proprietors had successfully interposed its influence in behalf of Hastings; but how far the majority in that court could be relied upon for preserving him in office for any considerable period, was a question fairly open to the consideration of those intrusted with the charge of the governor-general's interests:* the timorous and the bold, the

* Maclean, in his communications to Hastings, repeatedly refers to the difficulty of maintaining a majority in the general court. After relating the result of an interview with the Chairman of the Company, he says, "We retired with heavy hearts, sensible of the little chance we had to carry any question of violence against the majority in the Court of Directors, whatever

cautious and the sanguine, might decide differently, yet all might decide honestly, and none of them with manifest imprudence. The conduct of Hastings's friends has been represented as the effect of a deeper policy than at first sight appears. If Hastings voluntarily resigned, there was no serious impediment to his future return to office; if he were dismissed, a provision in the recent Regulating Act* precluded his restoration, except by the act of three-fourths of the Court of Directors, confirmed by three-fourths in number of the proprietors voting in a general court specially convened. Fear of the

chance we might have in a Court of Proprietors. How to bring our friends together from the distant parts of the country was the dilemma; and how to keep the discordant branches of our support together when they were met, in a direct attack on administration, was the danger."—Letter of Maclean to Hastings, in Gleig's Memoirs, vol. ii. page 80. In another place he says, in reference to an arrangement by which the business of Hastings was carried over a quarterly general court, "The adjournment *sine die* was carried. Not forty members attended this court; another proof that our measures were well timed, for what with the thinness of the town on one hand, and the indignation of the ministry, which had been liberally poured forth upon all those who had supported you on the first question, and whom they thought they could terrify, had we been obliged to proceed hostilely at this court, we should, I fear, have made but an indifferent figure."—Ibid. vol. ii. page 83. And again, "Without being on the spot, there is no conceiving of what heterogeneous and unstable materials our majority was made up, how difficult it was to collect, and how much more difficult to keep them together." —Page 84. It will be recollected that the friends of Hastings, in having recourse to a general court, were far from confident of victory; they avowedly acted under the impression "that they had nothing to lose by defeat."

* 13 Geo. 3, cap. 63.

CHAP. IX.

consequences of this provision has been very confidently presumed to have actuated Colonel Maclean;* but there is no evidence to support the presumption, and as far as a judgment can be formed of the intention of Hastings and his friends, it would seem that his retirement was contemplated as final. The supposition that the provision of the Regulating Act influenced them is not necessary to explain their conduct. Without reference to that provision, it was obviously better that Hastings should retire with credit than be dismissed with disgrace. One point, however, in this strange series of transactions must strike every one who examines them—it is the extreme facility with which the Court of Directors yielded belief to the representations of Colonel Maclean, that he was authorized to tender the governor-general's resignation. This assertion, indeed, was supported by corroborative testimony, the truth of which there was no reason to suspect; but a verbal authority, though confirmed by respectable evidence, was not sufficient to justify the grave and important step of putting in motion the power of the Crown to fill up the place in council presumed to be vacant. In this case, as in many others, an inclination to be satisfied supplied the want of formal and authoritative proof. The Court of Directors wished to avoid a collision with the ministry on the one hand, or with the majority of the proprietors on the other. The measure suggested by Hastings's agent seemed to

* This view is taken by the Select Committee of the House of Commons, in their Ninth Report, 1783.

afford the means of effecting this; it moreover gave the opponents of Hastings all they wanted, without subjecting his friends to the mortification of defeat:- it was consequently eagerly embraced. Could the party hostile to Hastings have foreseen the consequence of their conduct, he would not have enjoyed the opportunity of disappointing their wishes by disavowing his agent. But they were too much pleased with the prospect of attaining their object by compromise to examine very scrupulously into the authority on which the arrangement rested, or into the probability of the governor-general performing that which had been promised on his behalf. Hastings found it convenient to abandon his agent, or he had forgotten the instructions which he had given, or Maclean had exceeded his authority. The result was a convulsion which might have uprooted the new-founded empire of Great Britain in India, had it not subsided almost as soon as raised. In allaying the storm, the judges of the supreme court did good service to the state; and it must not be denied, that while General Clavering and Mr. Francis had by their violence placed the British government in danger, they subsequently evinced a far more conciliatory spirit than was shewn by their opponents.*

* The Select Committee of the House of Commons in their Ninth Report, 1783, express an opinion on the conduct of the court in accepting Hastings's resignation, very different from that maintained in the text. They say, "On this occasion the directors shewed themselves extremely punctilious with regard to Mr. Maclean's powers. They probably dreaded the charge of becoming accomplices to an evasion of the act by which Mr. Hastings, resigning the

CHAP. IX. Hastings, fixed in his seat by the decision of the judges, continued to exercise his power as absolutely

service, could escape the consequences attached by law to a dismission." It has been observed that there is no evidence that Hastings's restoration was contemplated by his agent, and that the presumption seems to lie the other way. The supposition that the court had reference to the motive which the committee suggest for Colonel Maclean's conduct, is equally gratuitous; and the assertion that extreme punctiliousness was displayed with regard to that officer's powers, requires for its refutation nothing more than an appeal to the facts which have been narrated. On some other points the Ninth Report of this Committee is marked by little judgment or scrupulosity of assertion. The view taken of the conduct of the judges of the supreme court, in relation to the dispute between Hastings and General Clavering for the governor-generalship, and the strain of argument adopted in treating of the supposed resignation, are singularly perverse. The following is the passage in which these points are discussed. "He [Hastings] insisted on continuing in the execution of his office, and supported himself by such reasons as could be furnished in such a cause. An open schism instantly divided the council; General Clavering claimed the office to which he ought to succeed, and Mr. Francis adhered to him. Mr. Barwell stuck to Mr. Hastings. The two parties assembled separately, and every thing was running fast into a confusion, which suspended government, and might very probably have ended in a civil war, had not the judges of the supreme court, on a reference to them, settled the controversy, by deciding that the resignation was an invalid act, and that Mr. Hastings was still in the legal possession of his place, which had been actually filled up in England. It was extraordinary that the nullity of this resignation should not have been discovered in England, where the act authorizing the resignation then was, where the agent was personally present, where the witnesses were examined, and where there was and could be no want of legal advice either on the part of the Company or of the Crown. The judges took no light matter upon them in superseding and thereby condemning the legality of his Majesty's appointment, for such it became by the royal approbation." The tone of this passage is very remarkable. The committee

as before, and to be subjected to the same annoyances from the unrelenting opposition of those CHAP. IX.

appear positively angry with the judges for averting "a civil war," which, according to their own statement was impending; it would seem as though, in the judgment of this body, it would have been better that the disputes in council should have been referred to the decision of arms, than that Hastings should have been quietly continued in his seat. The fury of the committee on this point appears either to have obscured their perception of truth, or to have seriously weakened their regard to it. They affirm that the judges of the supreme court "settled the controversy, by deciding that the resignation was an invalid act." This is not correctly stated; the decision of the judges was not that the resignation was an invalid act, but that there had been no resignation at all. The first reason which they assign for determining against the right of General Clavering to assume the office of governor-general is the following:—"Because the office of governor-general was conferred on Mr. Hastings by act of parliament, and according to the tenour of that act can only be vacated by death, removal, or resignation. That Mr. Hastings is not dead is a notorious fact; no intention is manifested or act done by the directors in the least tending to his removal; *and we are firmly of opinion that he hath not actually resigned.*" In support of this opinion they adduced a variety of proofs, all tending to shew that the arrangements made on the supposition of Hastings's resignation had reference to that event contemplated as a future one. Indeed it could not have been otherwise; for if Hastings had actually resigned when his agent intimated to the court his intention of resigning, all his acts subsequently performed as governor-general would have been invalid, and he would have presided for several months over the British government in India without any better claim so to preside than one of the writers who copied its proceedings. Before the excitement of the contest had passed away, General Clavering and Mr. Francis, in defending their views as to Hastings's resignation, urged that the Court of Directors "nowhere called it an intended resignation." This assertion was verbally true, but substantially false. The Court of Directors had nowhere called it an *intended* resignation, but in their petition to the Crown, praying the con-

CHAP. IX. A. D. 1777.

leagued against him. In August, 1777, Sir John Clavering followed his ally, General Monson, to the

firmation of Mr. Wheler's appointment, they had called it "a *proposed* resignation." A distinction may undoubtedly be conceived between that which is intended and that which is proposed, but the distinction will not avail the pleadings of Hastings's opponents. The heat of recent contest can scarcely be allowed to palliate their indulgence in an assertion so hasty or so dishonest, and a parliamentary committee, where gravity and temperance ought to prevail, should have kept itself clear of representations which the slightest reference to the history of the transactions under notice will refute. The astonishment of the committee, that "the nullity of the resignation should not have been discovered in England," might have been abated by a calm examination of the official documents, if the vivacity of those by whom the report was framed would have allowed them to descend to so dull an occupation. The half-avowed, half-suppressed, discontent discernible in the remark with which the committee dismiss this part of the conduct of the judges, might also have been mitigated by a consideration of what the judges had done and what their duty might have called them to do. "The judges," say the committee, "took no light matter upon them in superseding, and thereby condemning the legality of his Majesty's appointment, for such it became by the royal approbation." It is quite true that this was not "a light matter"—the interpretation of the law is never "a light matter." The charge of superseding and condemning the legality of the royal appointment, if true, might not have been discreditable to the judges, for the appointment might have been illegal, and then it would have been their duty to declare it to be so. But the charge is not true; the vehemence of the committee is too great to allow them to state what appointment they refer to as superseded and condemned for illegality. General Clavering claimed to succeed to the office of governor-general, not under the royal appointment, but under the provisions of an act of parliament. It must be presumed, therefore, that the appointment alluded to by the committee was that of Mr. Wheler to a place in council. The judges neither superseded this appointment nor impugned its legality. Their decision affected it only incidentally. They gave to the terms in which it was made

grave; his death being, it is believed, accelerated by the irritation of mind in which he had long been CHAP. IX.

the only interpretation which they would reasonably bear. Mr. Wheler was expressly appointed to supply the vacancy to be occasioned by the resignation of Hastings. The vacancy had not occurred, for Hastings had not resigned.

Some confusion seems to have prevailed in the minds of Hastings's friends, as well as of his enemies, with regard to the position of Mr. Wheler. Even the man by whom the proposed resignation of Hastings was negotiated seems not to have known the precise effect of the acts consequent upon it. In a letter to Hastings, dated the 12th May, 1777, Colonel Maclean says:—"Since the receipt of the Syren's despatches I have more than once endeavoured to learn Lord North's opinion of what he wishes you to do in consequence of General Monson's death, but I have not yet got any clear lights to form an opinion upon; though I am at no loss to guess that, however he may wish, he dreads the consequences of your return from India in the present critical state of affairs. An incident will enable you to judge on this head, in case Mr. Robinson does not speak out to Elliott to-morrow, or to yourself in a letter he writes to you by him. The incident I allude to is this: When the Syren arrived, Wheler was at Portsmouth ready to sail; he posted back to London, obtained a fresh appointment to succeed to General Monson's vacancy, and directly returned to Portsmouth. Mr. Robinson inquired whether Mr. Wheler had surrendered his first appointment for succeeding to you on your resignation; he found that Wheler had not made this surrender. He immediately sent an express to Portsmouth, that Wheler might send his surrender in form; but he had sailed. Mr. Robinson then got it clearly settled and ascertained in the secretary of state's office, that Mr. Wheler had vacated his *first* appointment by the acceptance of the *second*. Thus you now stand without a successor, for Sir Eyre Coote has *not accepted;* and, till a successor arrives, how can you resign? This is my opinion, upon the most mature consideration; and, unless Lord North speaks out, I must, from what has passed, think it to be his, as well as Mr. Robinson's opinion also."—Gleig's Memoirs of Hastings, vol. ii. pages 100, 101. Colonel Mac-

CHAP. IX. kept, and the vexations to which he had latterly been subjected. Hastings and Barwell had now a

lean appears to have thought that Mr. Wheler's first appointment was to succeed Hastings as governor-general. No such appointment could be made, because the act 13 Geo. III., cap. 63, expressly provided, that "in case of the avoidance of the office of such governor-general, by death, resignation, or removal, his place shall, during the remainder of the term aforesaid [five years], be supplied by the person of the council who stands next in rank to the governor-general." The person standing next in rank to the governor-general was General Clavering, and he would necessarily have succeeded on the retirement of Hastings. From the state of General Clavering's health, some apprehension of his death seems to have existed; but that event would have affected the order of succession only by the removal of an individual from it. The next councillor, whoever he might be, would then be next in succession to the seat of the governor-general. It is not likely that either Lord North or his secretary should have been ignorant of this. From the Records of the Company it appears that, on the 21st April, 1777, the Court of Directors referred to the committee of correspondence, with the aid of the Company's solicitor, to consider of settling the rank of Mr. Wheler in the council of Bengal, which the court were advised might "be so done as to place him in the first vacancy that shall happen, either by the death or resignation of General Monson." On the 28th, the committee reported that they had prepared a petition to his Majesty, "revoking the previous appointment of Mr. Wheler to succeed on the vacancy which might happen on Mr. Hastings's resignation; and praying that Mr. Wheler may succeed in the council of Bengal, on the vacancy occasioned by the death of Lieutenant-General Monson;" and it is recorded that "the said petition was read, approved, and signed." On the 2nd of May, the chairman, again calling the attention of the Court of Directors to "the necessity of revoking their former appointment of Edward Wheler, Esq., to be a member of council at Fort William in Bengal, on a vacancy by the resignation of Warren Hastings, Esq., the former applications to his Majesty for approving such appointment were accordingly withdrawn, and an instrument being prepared, nomi-

numerical majority in council, and for a few months the casting vote of the former was not necessary to

nating and appointing Edward Wheler, Esquire, to be one of the said council, on the vacancy occasioned therein by the death of Lieutenant-General Monson, the same was read, approved, and signed; also a petition to his Majesty praying his royal approbation of such nomination and appointment." At a court held on the 6th May, two letters were read from "Edward Wheler, Esq., on board the Duke of Portland, at the Mother Bank, the 29th ult. [April], and off the Start, the 4th inst. [May], the latter enclosing his surrender of his former appointment to succeed as the member of council at Fort William, in Bengal, on the resignation of Warren Hastings, Esq." Maclean, writing six days after the surrender, appears to have been ignorant of it, and what he relates as to the alarm of Mr. Robinson, in all probability rests on nothing but gossiping rumours. The fact, however, of Mr. Wheler's own friends having cancelled his appointment to succeed to a place in council, on the resignation of Hastings, might have convinced any one that the appointment was not to the office of governor-general. The motive for making him succeed on the death of General Monson instead of on the resignation of Hastings, is obvious: it brought him nearer to the presidential chair. Succeeding to the place of General Monson, he succeeded to all the incidents of that place.

Maclean represents Lord North as anxious to learn what effect Monson's death was likely to have on Hastings's determination to resign, but his lordship does not appear to have treated the agent with much confidence. In the letter above quoted Maclean says, "At Lord North's last levee, he asked me what change I thought General Monson's death would make in your conduct or way of thinking? My answer was, 'My Lord, Mr. Hastings is a man of the strictest honour, and one of the warmest friends of the King's government; if your lordship will honour me with the confidential communication of your wishes on this occasion, I will pledge myself to you that, barring unforeseen accidents, your desire shall be conveyed to Mr. Hastings in three months, and that he will cheerfully comply with it. Mr. Hastings has no wish but to facilitate the measures of government, and to prove himself the most faithful servant of the Crown.' His lordship

CHAP. IX.

the success of his measures. Mr. Wheler arrived not long after Sir John Clavering's death, and took his seat in council as the successor of General Monson. The news of General Monson's decease had reached England before Mr. Wheler's departure, and in consequence, the previous appointment of that gentleman to succeed on the vacancy occasioned by the retirement of Hastings was revoked, and its place supplied by a new one, nominating him to the place in council actually vacant by the death of General Monson. Mr. Wheler affected to maintain a neutral part between Hastings and Francis; but, as might have been expected, he almost invariably supported the latter, and thus reduced the contending forces to that equilibrium which had prevailed

expressed the utmost satisfaction; treats me with uncommon civility on all occasions; but has never since renewed the subject or explained himself, though a fortnight has elapsed."

The disputes which arose out of the contested right to the office of governor-general led to a provision in the Act 24 Geo. III., cap. 25, "that no resignation to be made of the offices of governor-general, or governor, or president of any of the subordinate settlements, or commander-in-chief, or member of the respective councils in India, shall be deemed or construed to be legal or valid, or shall be accepted as such, unless the same be made by an instrument in writing under the hand of the officer or person resigning the same." Later acts contain similar provisions. By 3 & 4 Wm. IV., cap. 85, it is enacted, that no act or declaration of any governor-general, governor, or member of council, shall be taken as a resignation, excepting "a declaration in writing under hand and seal delivered to the secretary for the public department of the presidency wherein he shall be, in order to its being recorded." Only one other mode of vacating office is recognized—return to Europe, or departure from India with intent so to return.

before the death of Sir John Clavering, and which required the interposition of the governor-general's casting vote to prevent the machine of government from coming to a dead stand. To Hastings this state of things was perhaps not disagreeable, although it placed him in a situation of extraordinary responsibility. He liked power, and he liked the appearance of it not less than the reality. He had great confidence in himself and a strong disposition to annoy his opponents. The additional responsibility incurred by his peculiar position was therefore little felt; and if it ever sate unusually heavy on him, its presence was lightened by the gratification which he derived from the reflection that those who hated him, and whom in turn he hated, were under his rod, without the power of moving hand or foot in the exercise of their public duties, except so far as he pleased to permit them.

Among the subjects which at an early period after the arrival of Mr. Wheler occupied the attention of the council, was a letter addressed to the governor-general by Mobarik-ul-Dowlah, complaining bitterly of the conduct of Mahomed Reza Khan in the management of his affairs, and alleging, that as that person was not connected with the prince either by the ties of nature or attachment, his continued possession of the high degree of power with which he was invested was oppressive and dishonourable to the family. The Nabob observed, that he had now attained that age when, by the law and usage of Mahomedanism, he ought to take the management of

CHAP. IX. his own affairs; and he added, in no very elevated strain of self-laudation, that he was not so devoid of understanding as to be incapable of conducting them. He reminded the governor-general that the power of the Company was derived from the support of his ancestors, and on these grounds claimed to be emancipated from the tutelage of Mahomed Reza Khan, and admitted to the personal management of the affairs of the nizamut and of his household. The letter was laid by the governor-general before the council, and it is unnecessary to say that it gave rise to great differences very warmly expressed. Mr. Wheler proposed to do nothing till the decision of the Court of Directors could be ascertained. The governor-general opposed; but it happened that Mr. Barwell was absent, and Mr. Francis supporting Mr. Wheler, the motion was carried. At the next meeting of council Mr. Barwell was at his post: the resolution of the previous meeting was summarily reversed, and the Nabob's request complied with. After the lapse of a few months, the governor-general produced another letter from the Nabob, suggesting a plan for disposing of the salary of Mahomed Reza Khan. In the distribution a considerable share was allotted to Munny Begum. Another portion was to be enjoyed by the Nabob's mother, Baboo Begum. It happened, too, that the amount of money proposed to be distributed exceeded that formerly enjoyed by Mahomed Reza Khan by eighteen thousand rupees per annum, and the Company were invited to make up the excess.

Mr. Francis and Mr. Wheler objected to this, as they did to the entire arrangement, and recorded minutes assigning reasons for their opposition. The governor-general and Mr. Barwell embarked in no strife of words. The former moved that the requisitions of the Nabob should be complied with; the latter simply wrote, "I assent to the governor-general's motion." That motion was necessarily carried. Looking upon the imputations which had been cast upon the governor-general with reference to Munny Begum, his adopting or proposing this arrangement —for the suggestion no less than the completion has been ascribed to him—was at the least injudicious. It was, however, but one of many instances of a folly in which Hastings was wont to indulge; he seemed to delight in setting public opinion at defiance. That the Nabob was but a tool in the hands of others was rendered probable by the fact, that on a former occasion he had bitterly complained of Munny Begum, to whom he now proposed to give power and the command of wealth. If such were his position, there can be little question as to the hand which guided and directed him.

This part of Hastings's conduct was severely animadverted upon by the Court of Directors, who ordered their wish for the restoration of Mahomed Reza Khan to be signified to the Nabob, and an assurance of their continued favour to be conveyed to Mahomed Reza Khan himself. These orders were obeyed; but in the letter, not in the spirit. In communicating the desire of the court, Francis and

CHAP. IX. Wheler proposed to call upon the Nabob to comply with it. Hastings and Barwell contended for a simple communication of the wish of the court, leaving the intelligence to produce its own effect. It did produce all that could be expected—a remonstrance from the Nabob; and but for an event which will soon be noticed, the restoration of Mahomed Reza Khan might have been postponed till the power of thwarting it had departed from Hastings.

The Court of Directors had also ordered the restoration of Mr. Bristow, whom the governor-general had removed from the residency at Oude, and of Mr. Fowke, whom he had displaced at Benares. These orders were treated with the same degree of respect which was accorded to those relating to Mahomed Reza Khan; they were received, read, and coolly set at naught.

A few months, however, wrought a change, and in a manner calculated to excite surprise. From the temper which had been manifested both by Hastings and Francis, the expectation of an accommodation being effected between them must have appeared one of the most extravagant that could be entertained; but little as it was to be anticipated, such an event was about to take place. The motives of the parties are not perfectly clear. Both, indeed, professed to be weary of controversy; but few persons who have studied the characters of the combatants will be disposed to give either of them credit for the feeling. Each had a confidence in his own judgment amounting to presumption; and the change

in their conduct is probably to be ascribed to circumstances rather than to any abatement either of their arrogance or of their mutual hatred.

The period of office secured by the act of 1773, to the persons therein named as governor-general and council, had expired before Hastings and his coadjutors had notice of any provision being made for such an event: they consequently continued to exercise their functions, and were in course of time apprized that an act had passed, continuing the existing governor-general in office for one year.* Sir Eyre Coote had been appointed to succeed General Clavering in the command of the army and to a place in council. In the latter capacity he usually supported Hastings, but not with the undeviating constancy of Barwell. Barwell had passed twenty-three years in India, during ten of which he had been a member of council. He had enjoyed abundant opportunities of acquiring wealth, and having improved them was desirous of retiring to the enjoyment of his fortune at home. This event Francis, it may be presumed, was not indisposed to accelerate. It would relieve him from a steady opponent, and deprive Hastings of a friend, whose vote was never denied to any measure which he chose to recommend. In proportion, however, as the retirement of Barwell was desired by Francis, it was dreaded by Hastings. He discerned in it the downfall of that absolute power which he had for some time exercised; and though

* 19 Geo. 3, chap. 61.

CHAP. IX. Barwell's feelings of friendship might render him reluctant to abandon the governor-general and his measures to a council where two would always vote against him, and the third could not be depended upon for steady or permanent support, it could not be expected that he would from this cause defer for any long period the gratification of his own yearnings for ease and home. Regarding the departure of Barwell, therefore, as an event that could not be far distant, Hastings was not indisposed to soften the asperity of an enemy whose power of opposing him was about to be greatly increased. He could not hope to convert him into a friend—probably he did not wish it, but he might expect to diminish both the vigour and the frequency of his attacks, and to secure, by a surrender of some points on which Francis had been most pertinacious, the liberty of pursuing unmolested those plans in which his own mind was most deeply interested. Such is the best account that can be given of the probable motives of those concerned in the negotiation. The overture appears to have proceeded from Francis, and to have been made on his behalf by a Mr. Ducarel to Major Scott, a great favourite of the governor-general and his agent in various important and confidential transactions. The principal conditions required by Francis appear to have been explained at the meeting. The result was communicated to Hastings, and the two principals subsequently met to complete the pacification so happily commenced by their agents. The value which

Hastings attached to the success of the negotiation may be estimated by the sacrifices which he made to secure it. A man more unrelenting in his hostility never lived; yet he consented to purchase peace on the condition of immediately restoring Mr. Fowke to the office which he had formerly enjoyed, from which Hastings had removed him, and to which he had shortly before refused to restore him, though his restoration was required by the express orders of the Court of Directors. Mr. Bristow, who had been removed in like manner, whose restoration had in like manner been ordered by the Court of Directors, and in like manner deferred by Hastings, was also to be restored, though not immediately. Further to propitiate his rival, Hastings agreed to conform to the orders from home respecting Mahomed Reza Khan. These concessions were so many virtual acknowledgments that Hastings had acted factiously in his previous dealings with the parties whose return to employment was thus provided for. He had not only removed, but had persisted in excluding them from office, in opposition to the deliberate judgment of those whom he served. Nothing but the strongest public necessity could justify such a course; but such necessity, if it ever existed, continued in full force at the time when he consented to replace them. The inevitable conclusion is, that personal aversion dictated their removal, and personal convenience led to the engagement to restore them.

CHAP. IX. The case of Mahomed Reza Khan affords the most striking exemplification of this view of the subject. Here, according to Hastings, a great public principle was involved. He had argued that the Nabob's demand to be relieved from the services of Mahomed Reza Khan was "grounded on positive rights, which" would "not admit of discussion."* He had maintained that, as a sovereign prince who had arrived at years of maturity, no control could lawfully be exercised over him; yet he now consented to restore to the highest office in the Nabob's service a man against whom that prince had formally appealed to the government of which Hastings was the chief. The governor-general indeed, on an occasion antecedent to that on which he had so vigorously asserted the Nabob's rights, had spoken of that prince as "a mere pageant, without the shadow of authority."† Hastings indeed appears never to have felt himself bound by any opinion beyond the moment when it was advanced. He was never at a loss for reasons to justify any course which was convenient or which passion rendered desirable; and his principles were adopted and relinquished with as much facility as if they had avowedly been but instruments for accomplishing certain ends—cumbrous arms not to be dispensed with, indeed, in the field of warfare, but which no one would assume

* Minute, Fort William Secret Consultations, 5th March, 1778.

† Minute of governor-general, Fort William General Consultations, 7th December, 1775.

without necessity, and with which no one would embarrass himself for a moment after the necessity had passed away.

The conclusion of the truce with Francis was to be followed, at no great distance of time, by another compromise scarcely less remarkable. Almost from the period when the judges of the supreme court entered on their functions, serious differences had existed between them and the government. The court seemed resolved to press its jurisdiction to the very extent of the limits prescribed to it by law, if not a little beyond them. The jurisdiction of the court had been restricted to British subjects resident, or having been resident, within Bengal, Behar, and Orissa, or having debts, effects, or estate there, and to persons employed directly or indirectly in the service of the Company, or of British subjects; these words being intended to exclude the natives generally, they being regarded as subjects of the Nabob: with regard to these, the jurisdiction of the court, with the exception already mentioned, could only be exercised with consent of parties. The court, however, adopted such principles of construction as threatened to bring within its power every inhabitant of the three provinces on whom any one might desire to inflict the vexation and expense of a law-suit. No man could calculate on being able to escape its meshes, and all regarded it with horror. To the poor the expense attending its proceedings was frightful; to the rich its forms of process were so offensive as to be more dreaded than even death,

CHAP. IX. In a country where the tendency to litigation is so strong as it is in India, where revenge is so long cherished and so remorselessly gratified, the supreme court became a frightful instrument of injustice and oppression. Its lower retainers were among the vilest and most abandoned inmates of a crowded Indian city, and the manner in which they exercised their unpopular calling may readily be conceived. The government was not less hostile than the people to the assumptions of the supreme court, for the judges were charged with exceeding their authority by interfering with the collection of the revenue; and further, they had claimed the right of calling for the production of the records of government in their court.* Having advanced thus far, it was not to be

* The first attempt to exercise this power was in an action brought by Mr. Stuart, who had been dismissed from the office of secretary to council, against his successor, Mr. Auriol, to recover one month's salary received by the latter gentleman, and alleged by the former to be due to him. The plaintiff's attorney addressed a letter to the assistant secretary to council requiring him to produce sundry papers, including letters from the Court of Directors to the government of Bengal, and portions of the Consultations of that government. The majority of the board resolved not to comply with the requisition; whereupon the assistant secretary was served with a subpœna, and attending the court thereon, but without the papers, he was told that by not producing them he had made himself liable to all the damages of the suit. He answered that he could not produce the papers without the permission of the board; and that they, being apprized of the attorney's application, had ordered him not to comply with it. He was then called upon to declare whether the board were unanimous in refusing the papers, and if not, which of the members had voted for their production and which against it. The counsel for the defendant objected that the assistant secretary

expected that the judicial institutions of the country would meet with much respect. In one case a verdict, with heavy damages, was given against several parties concerned in certain proceedings before the

could not answer this question without a breach of his official trust. The court disregarded the objection, and insisted upon an answer, declaring that the withholding the papers was a denial of justice, and that as the board was no corporation the individual members who had concurred in the refusal were severally liable to actions. The comments of the governor-general and council on this extraordinary decision are not unworthy of notice. They say, "According to the doctrine delivered from the bench, it is unlawful for your governor and council to refuse to produce, in open court, any papers deposited in our secretary's office, whenever they shall be demanded by an attorney, as necessary for the information of the court in any case depending before them. This doctrine is general and indefinite; it makes no distinction in the nature of the papers to be produced, and leaves no discretion to us to judge of the consequences which may attend their being divulged. It depends upon the caprice or ignorance of any attorney to expose the transactions of your [the Court of Directors] affairs in every branch, and even your most secret instructions to us, to the curiosity and comments of every bystander in a public court, perhaps to the avowed enemies of the Company and nation. If your governor and council, alarmed at the probable or possible consequences of such a publication of your records, should hesitate, or refuse to comply with the attorney's requisition, they are charged with the positive denial of justice, and are said to be liable to personal actions for damages. A distinction is made between the acts of the majority and those of the council, notwithstanding it is expressly provided by law that the governor-general and council shall be bound and concluded by the opinion and declaration of the major part of the members present; and the chief justice obliges our assistant secretary to declare, in open court, the opinion given by each member of council, in order to found an action against such particular members as composed the majority."—Letter to the Court of Directors dated 29th November, 1775.

CHAP. IX.

provincial council of Patna, including some Mahometan functionaries employed by that council. Another verdict passed, at the suit of the same plaintiffs, against the members of the council. It would be difficult to shew that it was any part of the duty of the supreme court to control and regulate the courts subsisting under the authority of the local government; but in this case they assumed the power, and they decided the question before them, moreover, upon a maxim of English law, *delegatus non potest delegare*, of which, however sound and rational it may be, the parties thus visited with punishment in the shape of damages which they were unable to pay, had never heard.

The state of the country which resulted from the occurrence of such proceedings is thus characterized by one who had minutely investigated the subject.* Speaking of their effect upon persons interested in the construction of the law, he says, "The general alarm which the claim of jurisdiction by the supreme court of Calcutta over these persons has spread, appears from the petitions of the renters of the Patna province, and other districts, requesting to be discharged from their engagements with the Company. Nor is it difficult, from the instances collected in the numerous papers I have perused, to discover that their apprehensions are well founded. Persons confined by the courts of dewanny adawlut † are collusively arrested by process from Calcutta, or removed

* Mr. Rous, standing counsel to the East-India Company.

† The revenue courts of the country.

by *habeas corpus*, where the language is as unknown as the power of the court; the process is abused to terrify the people; frequent arrests made for the same cause; and there is an instance of the purchaser of a zemindary near Dacca who was ruined by suits commenced by paupers, suits derived from claims prior to his purchase, and who was at last condemned in considerable damages for an ordinary act of authority in his station. Hence the natives of all ranks become fearful to act in the collection of the revenues; the renters, and even hereditary zemindars, are drawn away or arrested at the time of the collections, and the crops embezzled."

After pointing out some other evils attending the extension of the jurisdiction of the supreme court, the writer thus continues:—"When to these abuses, incident to the institution of the court itself, derived from the distance of those amenable to its jurisdiction, and from the invincible ignorance of the natives respecting the laws and practice of the court, we add the disgrace brought on the higher orders, it will not perhaps be rash to affirm, that confusion in the provinces and a prodigious loss of revenue must be the inevitable consequences of upholding this jurisdiction." The writer above quoted, in another place, says, "The natives in their petition represent the lawyers as masters of right, and conceive that whomsoever they favour he must prevail. It is obvious, indeed, that an intricate system of unknown law, administered in an unknown tongue at a great distance from the residence of the parties, must be

CHAP. IX. a plentiful source of abuse, which no wisdom in the judges can possibly correct." On this last point the judges held an opinion very different from that of the commentator on their proceedings. Entertaining an unbounded admiration of their own wisdom, no less than a belief in the almost unlimited extent of their power, they never appear to have doubted that so much wisdom, combined with so much power, was equal to the correction of any abuse however minute, however secret, however distant, or however complicated. It might have been thought that the jurisdiction assigned to the supreme court was sufficiently large even under the limitations intended by the legislature. They were such as no single court in England exercised, and required an extent of learning which no lawyer in England would have pretended to possess. They demanded not only a familiar acquaintance with the principles and practice of both common law and equity, but also so much knowledge of international, civil, and canon law as was necessary to the exercise of admiralty and ecclesiastical jurisdiction. The administration of such various systems of law, which in England is deemed to require distinct courts and judges, assisted by advocates who for the most part direct their studies and confine their practice to a very limited portion of the whole, was in India allotted to a single court, the members of which were ready not only to encounter the labour imposed upon them, but to add to it by involving themselves most unnecessarily and unwisely in the

intricacies of Hindoo and Mahometan law, of which they could not be expected to know even the elements. True it is, that their mode of dealing with this class of questions was very simple. To disentangle the knot was no part of their practice—it was cut without ceremony, and without regard to the suffering and ruin which were to ensue. The government, however, could not see the peace of the country disturbed and the sources of its revenue cut off without anxiety. They were responsible for both; and the dissatisfaction which, on public grounds, the acts of the judges were calculated to produce, was aggravated by the attacks which had been made upon their authority, and by the perception of the intention, obviously existing in the supreme court, to render the power of the governor-general and council, as far as was practicable, subordinate to its own.

The time when mutual and long-cherished discontent was to issue in an open conflict at length arrived. An opulent native, named Cossinaut Baboo, had given security to the government for certain rents payable by the rajah of Cossijurah, in his capacity of zemindar. Cossinaut had also acted as manager of the zemindary, the accounts of which were involved in much difficulty. There were disputed questions between Cossinaut and the government; there were others in which the claims of Cossinaut were opposed by those of the rajah or of the cultivators. Government had proceeded to vindicate its claims by an appeal to the law, but an

CHAP. IX. arrangement subsequently took place, and a further examination of the accounts was entered upon by mutual agreement, Cossinaut depositing the sum in dispute. Before the examination was completed, Cossinaut commenced an action against the rajah in the supreme court, and in order to entitle him to its interposition, made oath that the zemindar was employed by the East-India Company in the collection of the revenues. Upon this a *capias* issued, with a clause authorizing the sheriff to take bail to the amount of 300,000 rupees.

An officer proceeded to execute the writ, and the zemindar, having obtained information of the approach of the unwelcome visitor, disappeared. The governor-general and council, on being apprized of the facts, had recourse to their legal advisers. The Company's advocate-general gave his opinion that the legislature did not intend to subject zemindars to the authority of the supreme court; and after adverting to the peculiar position of the English in India, as well as to the difficulties which had arisen and were likely to arise from the imprudent and extravagant assumptions of the judges, he advised that the zemindar should have notice that, not being subject to the jurisdiction of the court, he should not appear, or plead, or do, or suffer any act which might appear on his part to amount to a recognition of the authority of the judicature, as extending to himself. The advocate-general further advised, that in all similar cases, as well as in that before him, the power of the government should be

withheld from affording aid to the judicature of the court; that the court should be left to its own means of executing its process; and that the judges should (in the language of the advocate) "thus render themselves responsible to the state for having, should such be the event, unnecessarily hazarded the dignity and authority of the King's judicature, by exposing its process to contempt and its officers to resistance and repulse."* The advice of the

* This opinion of Sir John Day exhibits a remarkable degree of professional fearlessness and practical good sense. He says, "At home, where the laws have all their energy, and being their own laws, and having grown up with them, the people, from habit, at least, pay them a willing reverence and a prompt submission; still if, from the slow and imperceptible changes in the circumstances of the state and the manners of the people, unforeseen and almost insurmountable difficulties have often embarrassed the execution of them, insomuch that at times, rather than depart from principles, it has been found necessary to resort to fiction, can it be expected that in the unauthorized attempt to bend at once the temper, manners, and prejudices, customs, religion and government of a people who, besides a human form, have no one thing in common with us, to a foreign law, the wisdom of the wisest shall not be often at a stand?" There is so much of sound reason and good feeling in this passage, that it may appear almost captious to take exception to a single phrase; but Sir John Day was wrong in speaking of the natives of India as having nothing in common with Europeans but "a human form." They have much more; they have all the passions and feelings, good as well as evil, which we possess. Justice and kindness are due to them as members of the great human family, and the exercise of those virtues towards them will never be thrown away. Paralysed by superstition, rendered distrustful by ages of misgovernment, their minds cannot be expected at once to expand into the vigour and maturity of European intellect and feeling; but time only is wanting to effect the change, and it is already in rapid progress. The humane and generous spirit which pervades Sir John Day's

CHAP. IX. advocate-general was followed. The European collector at Midnapore was instructed to apprize the zemindar of the views of the governor-general and council, and if applied to by the sheriff for military assistance to refuse it.

The writ of *capias* was returned unexecuted; and a writ was thereupon issued to sequester the lands and effects of the zemindar in order to compel his appearance to the action. To enforce this writ the sheriffs' officer was attended by a body of about sixty sepoys and European seamen; the former furnished by Cossinaut, who, in accordance with a common practice among wealthy natives, kept in pay an armed force;* the latter consisting of sailors discharged from ships in the river. The whole were armed and provided with ammunition. On this preparation becoming known to the governor-gene-

paper, renders it evident that it was not his intention to give deliberate expression to an opinion unfavourable to the native character. The exceptionable phrase was a casual inadvertence, pardonable when his mind was occupied with a question of so much importance as that submitted for his consideration. In a subsequent part of the document, the advocate-general renders justice to that ready submission to authority which is one of the most distinguishing characteristics of the people of India. "That obstacles upon this head," he says, "should now arise in the way of jurisdiction, seems less extraordinary than that they did not find themselves obstructed at their outset by difficulties which, *as caution had not avoided*, no management could surmount. It has been the good fortune, however, and that of those who have an interest in the preservation of their provinces, that they had pliant matter to work upon; and when that is the case much may be effected by temper, moderation, and address."

* See vol. i. page 226.

ral and council they ordered Colonel Ahmuty, the officer commanding at Midnapore, with a view to preserve the peace of the country, to dispatch a sufficient force to intercept and apprehend any body of men answering the description of those understood to be employed for executing the work of sequestration. These orders did not arrive in time to prevent an attempt to execute the writ. A sergeant, with part of the sheriff's force, effected an entrance into the house of the zemindar and endeavoured to pass into the zenana.* They were resisted, and for the time overpowered; but the sheriff's party being reinforced, possession of the house was obtained, the sanctity of the zenana violated, the zemindar's dewan seized and detained as a prisoner. The state of affairs was soon changed by the arrival of a party of troops dispatched by Colonel Ahmuty under the orders which he had received from the government. The sheriff's men were made prisoners and marched off to the presidency. These proceedings were followed by the issue of a government notice addressed to all zemindars and landholders, advising them that they were not subject to the supreme court, except under particular circumstances, which were pointed out, and warning them not to plead to any action brought therein, nor to do nor suffer any act which should amount to a recognition of its authority over them. This was transmitted to all the provincial councils and collectors, with orders to give it publi-

* The apartments of the women.

CHAP. IX. city; and those authorities were, at the same time, directed not to afford any aid to the service of the process of the supreme court in cases where, by the terms of the notice, the parties against whom such process was directed were declared to be exempt from the jurisdiction of the court. These events occurred in the months of November and December, 1779.

A. D. 1780. On the 18th January following, rules were granted in the supreme court, calling upon certain persons alleged to be connected with the resistance offered to the process of the court, to shew cause why attachment should not issue against them. Those persons were Lieutenant Bamford, the officer commanding the party by which the sheriff's followers were dispossessed and made prisoners; Mr. Swanston, assistant to the collector at Midnapore; and Mr. North Naylor, the Company's attorney. The principal offences charged on the last named gentleman were his having made inquiry at the sheriff's office as to the means taken for executing the writ, and being privy to the dispatch of the military force by which the execution was frustrated. Application was at the same time made for rules against the governor-general and Mr. Barwell; but the chief justice was under the influence of a remarkable degree of discretion, and he declared that the court would not grant a rule which they "could not enforce," but he directed copies of the rule to be served upon both, in order that they might answer the matters sworn to if they chose. The leniency with which the

chief justice treated the members of the government was not extended to their attorney. On a future day the rule against Mr. Naylor was made absolute, and he was required to answer a string of twenty interrogatories. Mr. Naylor regarded compliance with this order as inconsistent with his professional duty; and, with a view to the influence of meditation in effecting a change in his judgment, he was committed a prisoner to the common gaol of Calcutta.* The governor-general and council were, about the same time, served with summons from the supreme court, to answer to Cossinaut Baboo in an action of trespass. There could be little doubt as to the ground of this action, but as it did not appear on the summons, and might, "by bare possibility, have relation to questions of a private or personal nature," appearance was entered for all the parties. The plaint confirmed the suspicion which had been entertained; and it being evident that the action related to matters done by the governor-general and council in their public capacity, they directed their counsel to withdraw their appearance.

* This remark is not lightly made, nor is it an exaggeration of the views not merely entertained but avowed by the chief justice Sir Elijah Impey. The following is actually a literal report of part of the proceedings on the subject:—

"Mr. Lawrence (counsel for Mr. Naylor).—I hope your lordship does not mean that Mr. Naylor shall answer in *vinculis?*

"Chief Justice.—Why not? Mr. Naylor will have more time to think of his conduct and prepare his answer."

Minute of Proceedings in Cossijurah, Appendix No. 21 to First Report of Select Committee on Administration of Justice in India, 1781.

CHAP. IX. The wrath of the court was thereupon roused to fury. The conduct of the government was declared to be "a clear contempt of his Majesty's law, and of his court;" but the indignation of the judges subsided on recollecting from whom the contempt proceeded. The counsel for the Company had tendered a paper containing the resolutions of the government. The court ordered this paper to be recorded, "but," says Sir Elijah Impey, "as it was in the case of the governor-general and council, did no other act in consequence of it."* The judges, however, determined that the defendants could not withdraw their plea without leave, and that if they applied for such leave, it would not be right to grant it; that both as British subjects, and as being employed by, and in the service of the East-India Company, they were subject to the jurisdiction of the court as individuals, and that there was no distinction between their concurrent and individual acts; and, finally, that the court would proceed in the case before them as in any other where there was a default of appearance. The plaintiff had previously applied to the court to have the cause set down to be heard *ex parte* for default of plea, and the application had been granted. But this affair, which had threatened consequences scarcely less serious than those dreaded at an earlier period from the conflict of rival claims for the first place in the government, terminated in a manner as extraordinary as it was unexpected. Cossinaut

* Cossijurah Appendix to Report, No. 25.

Baboo suddenly discontinued his actions against the governor-general and members of council, and also that against the zemindar, out of which the others had arisen. His motives are unknown. It has been surmised, and with strong probability, that Hastings could have thrown some light upon them. A still more remarkable event was to follow at the distance of a few months from the discontinuance of Cossinaut's actions. Sir Elijah Impey, chief-justice of the supreme court, was made judge of the Sudder dewanny adawlut, the highest court of justice existing under the authority of the Company. To this appointment a salary of sixty thousand rupees per annum was annexed.

Thus terminated the conflict between the government of Bengal and the supreme court, provoked by the judges, and carried on by them with a lamentable disregard of their own duty and of the public interest. Their infatuation led to resistance from the power which was bound to lend its support to their authority. The course taken by the government cannot be defended upon any ordinary principles, but the circumstances under which they were called upon to act were not of an ordinary character. The judges acted under the authority of an act of parliament, and the governor-general and council had no legal right to interpret that act. According to strict law the court might determine its own jurisdiction, subject to appeal to the King in council; but the assumptions of the court were so monstrous, and the consequences likely to flow

CHAP. IX.

from them so fearful, that the government had only to choose between resisting the power of the court, on the one hand, or, on the other, calmly witnessing the total ruin of the country committed to their care. The land was passing out of cultivation under the terror of the supreme court; the people flying from their habitations to escape the outrages offered by its myrmidons to their persons and their feelings; and, if its course had not been timely arrested, the country would have become a desert—the bailiffs of the supreme court its lords. The governor-general and council could not have been justified in suffering this state of things to ensue. The violence of the remedy was warranted by the extreme wrong which gave rise to it. The judges usurped powers which the legislature did not intend them to possess,* and the government resisted them. The one party strained the law, to extend their own authority; the other resisted the process of the law, in order to protect the people from oppression. On both sides there was usurpation. The motives of the parties and the ends to which their acts were directed must be considered in order to determine between them. Usually when the

* This view is confirmed by the subsequent passing of an act (21 Geo. 3, cap. 70) declaring the governor-general and members of council exempt from the authority of the supreme court for their official acts, and also privileging persons acting under their orders. By the same act it was declared that no person, as a land-holder, farmer, or collector of land revenue for the government should become amenable to the court. The legislature also indemnified the government for their resistance.

judicial authority has been arrayed against the executive, the object of the former has been to protect established and recognized rights. Here it was to invade rights of older standing than the court by which they were assailed, to offer violence to feelings which had been the growth of ages, and to force upon a people unfitted to receive them, institutions never designed by the legislature to be thus widely extended. The sentiments of honest admiration with which the mind regards the judge who enforces the authority of the law against irresponsible power, is in this case transferred to those who threw themselves between the people of India and the encroachments of unauthorized law. In the performance of this duty, for a duty it was, Hastings cordially joined with that party in the council with which he was usually at enmity. His friend, Mr. Barwell, was far less decided in his conduct. The most devoted supporter of the policy of Hastings, he wished not to separate himself from the governor-general; the attached friend of Sir Elijah Impey, he recoiled from giving offence to the chief justice: vacillating, under the influence of these contending motives, from one side to the other, defending the legality of the acts of the supreme court, and at the same time perfectly convinced that their acts were destroying the sources of the revenue, Mr. Barwell seems to have been anxious in this dispute to stand well with all parties. Hastings did not thus temporize: he chose his part, and he acted vigorously upon the choice which he had made. But here approbation

CHAP. IX. must end: the means by which the dispute was terminated, though very characteristic of Hastings's policy, were very discreditable to all parties concerned in the accommodation.

The judges of the supreme court of Calcutta were intended by the legislature, like the judges of the courts at Westminster, to be independent of the existing government. The appointment bestowed by the governor-general on Sir Elijah Impey was remunerated by a large salary, and it was to be held during pleasure. That such an appointment on such terms should have been offered by Hastings to the chief justice of the supreme court—that, when offered, it should have been accepted, are facts so startling that it is difficult to determine which is the more extraordinary. The appointment was carried by the casting vote of the governor-general, and is attributable solely to his personal influence. Barwell had retired from council; Sir Eyre Coote, professing not to be master of the question, gave a guarded and hesitating assent to the proposal of Hastings. It was strenuously opposed by Francis and Wheler, who in their minutes adduced arguments against it which must have been triumphant had the question been decided by reason. Hastings had suggested doubts as to the legality of the authority exercised by the superiors of the dewanny courts, which he thought—for it then suited his purpose so to think—rested only on "doubtful construction" of the words of an act of parliament. To this it was very justly answered, that if the government had no legal power to nominate persons to

such duties, they ought not to attempt to exercise it at all; and that neither the act of conferring that power upon the chief justice of the supreme court, nor his acceptance of it, could make that legal which was before illegal. But Hastings did not rest his case upon this point: he did not scruple, after some little preparation, to put forward his real motives in recommending the appointment. "It will be the means," he said, "of lessening the distance between the board and the supreme court." "The contentions," he added, "in which we have been unfortunately engaged with the court, bore at one time so alarming a tendency, that I believe every member of the board foreboded the most dangerous consequences to the peace and resources of this government from them. They are at present composed; but we cannot be certain that the calm will last beyond the actual vacation, since the same grounds and materials of disunion subsist, and the revival of it at a time like this, added to our other troubles, might, if carried to extremities, prove fatal."* In other words, Hastings was anxious to put an end to the differences between the government and the supreme court; he thought the chief justice not incorruptible, and he was willing to pay his price. Such a "mode of procuring peace," in the language of one of Hastings's coadjutors,† was not "the most honourable or safe;" but it accorded with the tortuous policy which Hastings loved, and it was adopted.

* Minute of governor-general, 29th September, 1780.

† Mr. Wheler.

CHAP. IX.

To the reputation of the chief justice the appointment was more injurious than even to that of Hastings—it was deadly. Had Sir Elijah Impey died before accepting this fatal gift, he would by impartial observers have been regarded as a man of narrow mind, headstrong passions, and overbearing temper; but no imputation, based on sufficient evidence, would have shaded his judicial integrity. His own act effected that which all the ingenuity of his enemies would have failed to accomplish. He inscribed on his own brow the record of his disgrace in characters deep, broad, and indelible. The temptation was so undisguised in its approach, the scandal of accepting it was so glaring, that the slightest feeling of judicial decency would have repelled it with something approaching to scorn. What could his contemporaries, what could posterity think of a chief justice, found, in the words of a distinguished member of his own profession,* "one day summoning the governor-general and council before his tribunal for acts done as council, and the next accepting emoluments nearly equal to his original appointment, to be held during the pleasure of the same council."

Before the completion of the arrangement by which the chief justice was to be rendered supple and accommodating, the slumbering embers of discontent within the council had burst into renewed life; and so powerful was the reaction of hostility,

* Mr. Rous, standing counsel to the Company, for whose opinion a case was prepared.

after the temporary calm, that the pen became too feeble an instrument to express the feelings of the two chief combatants. Among the articles of agreement between Hastings and Francis was one, it was stated, securing to the former the management of the Mahratta war, the details of which will be related in a future chapter. According to Hastings's view, this article was violated, and he produced in evidence an alleged copy of the stipulation in the following words—"Mr. Francis will not oppose any measure which the governor-general will recommend for the prosecution of the war in which we are supposed to be engaged with the Mahrattas, or for the general support of the present political system of this government: neither will he himself either propose or vote with any other member who shall propose any measure that shall be contrary to the governor-general's opinion on these points." Francis denied that he ever was a party to such an engagement, and, referring to a conversation with Hastings, in which the governor-general produced a memorandum containing, as he believed, the article in question, Francis affirmed that he returned it with a declaration that he did not agree to it. Between the truth of these conflicting statements there are but slender materials for determining. The balance of probability, however, somewhat inclines in favour of the assertion of Hastings. He had given up to Francis many points on which his personal wishes would have led him to withstand a surrender; it is

CHAP. IX.

inconceivable that he should not have bargained for something in return. If every thing were to be conceded to Francis, and nothing to the governor-general, the latter might as well have risked the consequences of Mr. Barwell's possible retirement. He probably would not have retired, if his friend and leader had not believed himself secure of a satisfactory share of power.* Hastings, too, at the time when the arrangement was concluded, seems to have been convinced that the provision relating to the Mahratta war was part of it.† It has been suggested that both parties were guiltless: that Francis had declined to assent to the disputed article, but that Hastings had not understood him. This seems incredible. On a subject of so much interest to both, care would be taken that the main provisions of the compact were understood; and it is not easy to evade the conclusion that either Francis was guilty of a gross breach of faith, or Hastings of the assertion of a scandalous falsehood. The presumption, on the whole, lies against Francis, and his character will probably never be relieved from the imputation. But whoever was the guilty party the dispute was near finding a tragical termination. A challenge given by Francis was accepted by the

* In a letter to Mr. Sullivan, dated the 4th March, 1780, Hastings says:—"Mr. Barwell, who was privy to the treaty in all the stages of it, has determined to return to England *in consequence, with my free consent, and release from any engagement on him from his connection with me* to remain in the service."—See Gleig's Memoirs of Hastings, vol. ii. page 254.

† See the letter above quoted in Gleig's Memoirs.

governor-general: the parties met, exchanged shots, and Francis was wounded. The previous language of the disputants was so violent, that such a result, however reprehensible, was far from unnatural. On the indecency of such a mode of determining disputes existing in a council entrusted with the care of vast and important interests, no remark can be necessary. A sense of duty, and even an enlightened self-respect, ought to have restrained the combatants from that wild abandonment to the influence of passion which led to such a result. A duel between the governor-general and one of his council, arising out of their official acts, ought to have been regarded as among things impossible. It would be scarcely more disgraceful that a chief justice and one of the judges of his court should so settle a disputed point of law. CHAP. IX.

Francis quitted India in December following, and Hastings was thus left to pursue his own views almost uncontrolled. A. D. 1780.

CHAPTER X.

CHAP. X.

On the western side of India were certain places which the East-India Company had long been desirous of possessing; these were the island of Salsette, the port of Bassein, Kenery, Hog Island, Elephanta, and Auranjee. They were occupied by the Mahrattas; and with the view principally to taking advantage of any opportunity that might occur of securing those places by negotiation, permission had been sought and obtained for the residence of an English agent at Poona. It was some time before any event favourable to the views of the English government occurred; but, at length, the success of the Company's arms against the Nabob of Broach seemed to afford an opening for attaining the desired object.

With the Nabob of Broach the government of Bombay had formerly concluded a treaty; but it being alleged that he had levied a higher rate of customs' duty on the goods of merchants under English protection than his engagements warranted, an expedition was fitted out against him, in conjunction with the Nabob of Surat, who claimed from the government of Broach a certain amount of tribute, a large portion of which was to be made over to the English, in

consideration of the expense which they incurred. But this step was undertaken under imperfect information; and on the expedition arriving before Broach, it being obvious that the attempt must fail, the Nabob was prevailed upon to save the honour of the British arms, by requesting that the troops might be withdrawn. Negotiation followed, and a new treaty was concluded. The expedition against Broach was strongly condemned by the Court of Directors, but this did not prevent the government of Bombay from dispatching another with the same object, their disobedience being defended by allegations of the continued deceitful and perfidious conduct of the Nabob. The second expedition was more successful than the first, the city of Broach being taken by storm; but the Court of Directors again expressed their disapprobation of the attack.

It was part of the plan of the Bombay government to offer Broach and a place called Fort Victoria to the Mahrattas, in exchange for those which it was desired to obtain from them. The British resident took pains to intimate that such an exchange might be effected; but the Mahratta government received the communication coldly, and without any movement towards accepting the offer.

At a later period circumstances seemed to favour the views of the English, and negotiations were entered into with a personage named Rugonath Row. He was the brother of a former peishwa, and the uncle of two succeeding ones, the latter of whom was assassinated. Rugonath Row enjoyed the reputation

CHAP. X. of having contrived his nephew's death; a more indulgent opinion, supported by respectable authority,* regards him as intending only to seize the power of his relative, and acquits him of conspiring against his life. Rugonath Row, on the death of his nephew, succeeded to the office of peishwa, and to a multiplicity of foreign and domestic troubles. He was engaged in a war with Nizam Ali, which he contrived to bring to a conclusion, but without advantage to himself. He meditated an expedition into the Carnatic, which was to cripple at once the power of Hyder Ali, Mahomet Ali, and the English. But these great designs came to an abortive conclusion: Hyder Ali, taking advantage of the pecuniary distress of Rugonath Row, which was great, made peace with him on his own terms. Rugonath Row had proposed to himself to rescue from that wily adventurer certain districts which he had acquired from the Mahrattas. Hyder Ali induced him to surrender his claim to part of them, in consideration of the payment of a small sum of money and the promise of a larger. The intelligence of some events threatening the stability of his power compelled Rugonath Row to relinquish his further designs on the Carnatic; but he prevailed upon Hyder Ali to recognize his title as peishwa, and to engage to pay tribute to him.

The news which had arrested the progress of Rugonath Row was that of the alleged pregnancy of

* Captain Duff, author of the History of the Mahrattas.

Gunga Bye, the widow of the late peishwa. Rugonath Row thereupon commenced his march towards Poona and met with some success; but the want of funds prevented his pursuing it, and he suddenly turned his course to the northward. Shortly afterwards the widow of the late peishwa gave birth to a son, who at the age of forty days was formally invested with the office he was destined to bear.* The investiture took place in May, 1774. A. D. 1774.

Had Rugonath Row abandoned his usurped authority in deference to the rights of an infant, he would have departed widely from the principles which govern Mahratta policy, whether national or individual. He did not thus discredit the people to which he belonged, but, amidst many difficulties and much distress, continued to maintain his pretensions to the office of peishwa, and to seek allies to assist him in supporting them. Among others,

* It has been questioned whether this child was the son of the deceased peishwa; and suspicion has been cast upon his birth from the fact that in the fortress in which his mother resided a number of women in the same situation were assembled. This has been accounted for on different grounds. According to one report, it was intended, if the widow of the peishwa should give birth to a daughter, to substitute in place of the female the male child of one of the other women. Another report represents the assemblage of the women as having no other motive than the desire to provide a nurse for the expected peishwa. The best authorities appear to concur in recognizing the claim of the infant to be regarded as the son of the deceased peishwa. It is said that this fact was never disputed by Rugonath Row, and that the reports throwing doubt upon it may be traced entirely to the credulity and mistakes of the English authorities at Bombay.

CHAP. X. he had recourse to the English, and the desire felt by the authorities at Bombay to obtain possession of Salsette and Bassein led them eagerly to encourage his overtures. They were rendered the more anxious by an apprehension that the Portuguese were about to forestal them in the possession of these much coveted places. The negotiations with Rugonath Row, however, proceeded unsatisfactorily. On the point which the government of Bombay regarded as most important he was obdurate: he peremptorily refused to give up Salsette and Bassein, and in despair of accomplishing their object by any other means, the English authorities had resolved to accept an offer made by the killadar in command of the garrison at Tannah, the principal fort on the island of Salsette, to put them in possession of the place for a sum of money. The bargain, however, was not carried into effect. By the time that the governor and council of Bombay had decided upon closing with the offer, the killadar alleged that it was no longer in his power to perform that which he had proposed, the Mahrattas, alarmed by the movements of the Portuguese, having reinforced the garrison. But the British authorities were not thus to be disappointed. Negotiation having failed, they had recourse to arms: Tannah was taken by storm, and the island of Salsette, together with that of Caranja, passed into the hands of the English. Immediately after the dispatch of the armament against Tannah a Portuguese fleet appeared off Bombay, and the commander delivered

in a protest against the conduct of the British authorities.*

Before the capture of the island was effected the new government of Bengal had entered upon its functions. By the act under which that government was constituted it was invested with a controlling power over the other presidencies. The government of Bombay were aware of the passing of the act, but were ignorant of the arrival of the new councillors, and their formal assumption of authority, until after the expedition against the islands had been dispatched. Its success was communicated without delay to the government of Fort William.

In the mean time negotiations with Rugonath Row were renewed, and, finally, a treaty was concluded, by which former treaties with the Mahratta state were ratified: both parties engaged to abstain from assisting the enemies of the other; the East-India Company agreed to aid Rugonath Row with a considerable force, and he in return agreed to surrender to them Bassein and certain other places. Rugonath Row was also to procure from the Guicowar a grant for the Company of the share of revenue collected by that prince in the town and pergunnah of Broach. He further stipulated to pay to the Company annually seventy-five thousand

* The governor and council of Bombay, in their report of the matter to the government of Fort William, call the document "a small protest." Whether the epithet is intended to apply to the material or the moral characteristics of the paper does not appear.

CHAP. X. rupees from the revenues of Oklaseer, and a lac and a-half of rupees monthly for the military assistance which he was to receive, or a proportionate share for so much as might be furnished, as security for which payment he made temporary assignment of several districts. Six lacs of rupees were to be immediately deposited with an agent of the Company; but, as Rugonath Row had them not, and knew not where to obtain them, it was agreed that he should deposit jewels in their place. Rugonath Row was to defray all expenses that might be incurred in taking possession of any of the places ceded to the Company; he was not to make war in the Carnatic, and he was bound to assist the ships of the Company, or of persons under their protection, if wrecked, and to protect the cargoes.

This treaty was greatly disapproved at Bengal. The governor-general Hastings recorded a minute of considerable length, and certainly marked by great ability. He maintained that the treaty was unseasonable, because formed at a time when Rugonath Row appeared to have been abandoned by his former adherents; that it was impolitic, because the Company was subjected to the whole burden of the war, without a force at Bombay equal to the undertaking, without money or certain resources, and because it was undertaken without regard to the general interests of the other British settlements in India; that it was unjust, because the English had received no injury from any part of the Mahratta state which could authorize an interference with

their mutual dissensions, and were under no actual ties to Rugonath Row, but, on the contrary, were in positive negotiation with the very powers against which they had since declared war; and that it was unauthorized, because the law precluded the subordinate governments from commencing hostilities, declaring war, or negotiating any treaty of peace without the consent of the governor-general and council, except in cases of imminent necessity, where it would be dangerous to postpone the commencement of hostilities or the conclusion of treaties, and except when the subordinate government might have received special orders from the Company—which exceptions did not apply to the treaty concluded with Rugonath Row. On these grounds, the governor-general proposed to direct the government of Bombay to cancel the treaty, and withdraw the detachment sent in pursuance of it, unless some decisive advantage should have been gained over the enemy, or that the detachment should be in such a situation that it would be dangerous either to retreat or to pause, or that a negotiation should have been commenced between Rugonath Row and his opponents in consequence of the support afforded by the English. The council, seldom agreeing in any thing but in annoying each other, were unanimous in approving the first part of the proposed orders to Bombay: with regard to the exceptions by which the order was modified there was a difference of opinion. Barwell, as usual, supported the governor-general altogether—the three

CHAP. X. remaining members of the council thought that the order for the withdrawal of the troops should be made subject to no exception but that of the impracticability of their retiring in safety, and thus the instruction to the government of Bombay was framed.

The government of Bengal resolved at the same time to open a negotiation with the authorities at Poona. The choice of the person who was to represent the British government at the capital of the peishwa gave rise, as usual, to a contest. Hastings proposed Colonel Dow; General Clavering recommended Colonel Upton; and the latter officer, being supported by the majority, was appointed.

The command of the British force destined to act in conjunction with Rugonath Row had been entrusted to Colonel Keating. It arrived at Cambay about
A. D. 1775. the middle of March, 1775, and in April effected a junction with all that remained of the army of Rugonath Row, that chieftain having been defeated some time before, and his forces dispersed. After some considerable delay, arising from various causes, the combined body moved in the direction of Poona. Nothing of importance occurred till the 18th May, when an action took place, which terminated in favour of the English, though they sustained dreadful loss. The British commander does not appear to have displayed any great military skill, and an alleged mistake of the word of command by a body of European grenadiers nearly led to the loss of the battle.

The government of Bombay were not in a condition to maintain the burden of the war without assistance from the other presidencies, and an application was made to Bengal for men and money. The governor-general was disposed to comply with the request, on the ground that the question then to be decided was not whether the government of Bombay had acted properly or not, but by what means were the Company's affairs to be extricated from the danger in which they were involved by a war precipitately undertaken. In the view of the governor-general, sound policy dictated the support of the government of Bombay. "If," said he, "the detachment now employed in the support of Ragoba (Rugonath Row) should be either defeated for want of succour, or recalled at such a crisis to Bombay, and Ragoba abandoned to ruin, I will venture to foretel that Colonel Upton's negotiations will be fruitless and attended with disgrace. On the other hand, I will, with equal confidence, risk my credit with the Company in foretelling that the issue of it will be successful and honourable, if we maintain our superiority at the time in which it shall take place, and shew a resolution to dictate, not to receive, terms of accommodation. For these reasons, I am of opinion that the effectual support of the presidency of Bombay in the war undertaken by them will prove the surest means of restoring the peace of India. We have those means in our power, and I therefore think it our duty to employ them."*

* Governor-general's minute, 7th September, 1775. Bengal Secret Consultations.

CHAP. X. It is unnecessary to say that the governor-general was supported by Barwell, and opposed by the other members of council. The latter party positively refused to send any men, but, as the pecuniary necessities of the Bombay government were urgent, they were willing to forward a small supply of money. Hastings was taunted with the alleged inconsistency of his present advice with the course which he had formerly recommended. He successfully shewed, however, that there was no inconsistency; that he had then proposed that the orders for dissolving the connection with Rugonath Row should not be carried into effect if any decisive advantage had been obtained over the enemy, and it was on the ground that such advantage had been obtained that he now advised the continuance of the British force in the field. He at the same time declared, and probably with truth, that in the course which he had formerly recommended, his own views had been modified, in the hope of meeting those of the other members of the council. Argument, however, is vain when passion rules, and the majority determined that no men should be sent to Bombay. About a month after this determination, Mr. Tayler, a member of the council of Bombay, arrived at Calcutta, specially to represent to the government of Bengal the necessity of giving to the Bombay government such support as would enable them to avert the consequences likely to arise from an abrupt termination of the engagement with Rugonath Row, but his representations were not

more successful than those of the governor-general. The majority in council were fixed in their determination to put an end to the war at once. General Clavering, indeed, had expressed an opinion that such a step was likely to assist the progress of the negotiation at Poona. "We have reason to hope," said he, "that the Mahrattas, seeing the justice and moderation of this government, and that our intentions are finally to put a stop to that spirit of conquest, encroachment, and injustice, which seems hitherto to have prevailed too much in India, will listen to the proposals that we have made to conclude a firm and lasting peace with them."*

The soundness of these views was soon brought to the test. Colonel Upton, having reached Poona with great difficulty, entered on the business of his mission, but found the ministers of the peishwa little disposed to cordiality. He was instructed to stipulate for the possession of Salsette and Bassein. The Mahratta authorities refused compliance. In accounting for this refusal Colonel Upton says, "I conceived it owing to their imagining that I must treat with them at any rate;" and it appears that they proposed questions to the British negotiator which it would have required great ingenuity to answer satisfactorily. They asked him why the government of Bengal made such profession of honour, and how it happened that, while they disapproved of the war commenced

* Minute of General Clavering, 7th September, 1775. Bengal Secret Consultations.

CHAP. X.

by the Bombay government, they were so desirous of availing themselves of the advantages of it. After much discussion, Colonel Upton demanded of the ministers what was their final determination, and they answered that they knew of none but war. The government of Bengal now withdrew the restriction which they had imposed on the hostile operations of the government of Bombay; they addressed a letter to Rugonath Row, offering him the assistance of the British arms in all parts of India, to place him with full authority in the seat of the government at Poona; they resolved to write to Nizam Ali, Hyder Ali, Morari Row, the Rajah of Berar, Holkar, and Scindia, with a view of engaging their assistance for Rugonath Row, or at least of securing their neutrality; they directed the British resident at Oude to prevail on the Vizier to permit the removal of the Company's brigade to the frontier of Korah, next Calpee, with a view to promote the interest of Rugonath Row; they wrote to the government of Madras for reinforcements in aid of the same cause, and they requested the officer in command of the squadron on the coast of Malabar to give it all the support in his power. These measures were taken by the Bengal government on the 7th March, under an impression that the negotiations at Poona were at an end. On the 1st April they received a letter from Colonel Upton, informing them that the differences with the peishwa's ministers had been arranged, and that a treaty was in progress. The treaty was concluded,

A. D. 1776.

and, with some modifications, accepted by the government of Bengal. By this treaty Rugonath Row, on condition of disbanding his army, was to have an establishment at Kopergoam, on the banks of the Godavery. This he refused to accept, and hence arose new difficulties. The government of Bombay fiercely attacked the treaty, and maintained that Rugonath Row should have been allowed the option of residing in one of the Company's settlements; that the ministers at Poona would not have objected if their intentions were honest; that thus placed, Rugonath Row would have been a useful instrument for operating on the fears of the other party in the Mahratta state, and would have afforded the best security for the preservation of peace. Rugonath Row had expressed a determination to appeal to the Court of Directors, and, till the result should be known, to seek an asylum at Bombay. The government of that presidency were quite ready that he should find a home there, but that of Bengal interfered and forbade it. He finally retired with about two hundred adherents to Surat.

The treaty with the Mahrattas confirmed the Company in the possession of Salsette and the islands which they actually occupied. Bassein, not being in their possession, was excepted. It is a fact strikingly illustrative of the imperfect information possessed by the Bengal government when they undertook, through the agency of Colonel Upton, to negotiate a treaty with the Mahratta state, that they

CHAP. X. actually believed that Bassein was in the possession of the English, and it was at Poona that Colonel Upton first learned that such was not the case. Another remarkable circumstance attending this series of transactions is, that immediately after the conclusion of the treaty with the ministers of the infant peishwa at Poona, orders were received from the Court of Directors approving of the treaty of Surat—the treaty concluded by the Bombay government with Rúgonath Row—and desired that possession should be kept of all the places thereby ceded. These orders it was impossible to obey without renewing the war, for part of the cessions had been abandoned by the later treaty concluded by Colonel Upton.

The pause created by that treaty affords a convenient opportunity for briefly reviewing the conduct of all the parties in the transactions which have just been related. The capture of Salsette by the Bombay government was a somewhat questionable act. Its occupation was very convenient, and possession of it had long been desired by the East-India Company; but it is obvious that these circumstances give no claim to it which a strict moralist can approve. The Mahrattas, indeed, had no better right than that founded in force, and their tenure was not of sufficient duration to cover the defects of their original title.* The claim of the Portuguese cannot so readily be

* The island was taken by the Mahrattas from the Portuguese in 1750.

disposed of. It was alleged by the government of Bombay, that Salsette was included with Bombay in the marriage portion of the princess Catherine, wife of Charles the Second; but this, on the other hand, was strenuously denied; and it is to be feared that the English authorities, on this occasion, were very readily satisfied of the truth of that which they were anxious to believe. They seem to have been alike easily convinced that the alleged son of the deceased peishwa was spurious, and that, consequently, Rugonath Row was entitled to that place in the Mahratta state which he claimed. His situation disposed him to be more liberal than his opponents to the British government, and the members of that government were thereby quite satisfied of the legality of his title, and the nullity of that of the infant opposed to him. It was desirable that Rugonath Row should be the peishwa, and therefore his right must be recognized.* It would, notwithstanding, be difficult, even on the ground of worldly prudence, to justify their support of him. Destitute of means of carrying on war effectually, unless assisted from the other presidencies, they rushed into a contest, the object of which was to support a man, himself without resources, whose title to the office which he claimed was at best doubtful, and whose

* It is remarkable that this contest, as to the rightful succession to the chief seat of Mahratta power, related to an office which was in itself an usurpation of rights which belonged to another—a nominal sovereign, who was denied the exercise of any power but that of investing one who called himself his servant with the privilege of governing his master.

CHAP. X. popularity was about equal to his right. They further acted in disobedience to the law, which required them, in all matters of peace and war, to act under the authority of the governor-general and council of Bengal. When the capture of Salsette took place, the government of Bombay was not aware that the controlling government had entered upon its functions; but they were informed of this before the conclusion of the treaty with Rugonath Row, and as there was no pretence of urgency to justify their acting without the authority of the government of Bengal, it is clear that they were not legally justified in so acting. The latter government, however, seemed resolved that rashness and imprudence should not be monopolized at Bombay. They determined to vindicate their own dignity, whatever might be the cost to the country whose honour and interests were in their keeping. Great Britain might suffer in character as well as in power, but the governor and council of Bombay must be humbled, and the majesty of their superiors made visible to all India—and without regard to any consideration but that of the safety of the troops employed in assisting Rugonath Row, they ordered their immediate retreat. Conduct more petty in its character, but at the same time more calculated to be widely mischievous in its consequences, it is not easy to conceive. It is to the honour of Hastings that he was not a party to it. He would have reproved the forwardness of the Bombay government, but, though as tenacious as most men of his own dignity,

he was not prepared to assert it by breaking down the fabric which it was his duty to uphold. Condemning the imprudence with which the connection with Rugonath Row had been formed, he was unwilling to commit the greater imprudence of risking the honour of the British name and the security of British power in India for its dissolution. His counsel was wise and moderate—regretting the existing state of affairs, his advice was to make the best of it; but it was cast away upon men who, in administering the affairs of a mighty state, committed themselves without reserve to the guidance of headstrong passion. Their subsequent conduct was scarcely less injudicious than that which reversed peremptorily, and without regard to circumstances, the course which had been taken at Bombay. The government of Bengal, at least the ruling party in council, determined themselves to undertake the conduct of a new negotiation with the Mahrattas. The policy of this step may be estimated from the fact, that neither the envoy nor those who sent him knew who was in possession of Bassein, one of the most important objects of negotiation. A mission thus blindly undertaken was not likely to command much respect; and Colonel Upton appears, for a time at least, to have been the sport of those with whom he was sent to negotiate. Irritated by the ill success of their attempts to conciliate the authorities at Poona, the government of Bengal suddenly determined to espouse the cause of

CHAP. X.

Rugonath Row. They informed him of their newly-born friendship, and summoned all India to the battle on his behalf, when their plans were once more discomposed by intelligence that the negotiations at Poona had taken a new turn, and that the draft of a treaty had been agreed upon. The cause of Rugonath Row was then dismissed with as much levity as it had been taken up, and the man whom the government of Bengal were about to place upon a throne, was deemed unworthy of a shelter, except within the meshes of his enemies. One claimant of the chief power in the Mahratta government was thus alienated—from the guardians of the other all that was gained was a hollow and unsatisfactory accommodation, which no one could expect to endure. Such was the statesmanship which then swayed the destinies of British India; such were the results of the nomination of its rulers by parliament.

The terms of the treaty concluded by Colonel Upton were so vague, that, after they were nominally fixed, the labour of adjusting them remained to be performed. Even after Colonel Upton's retirement from Poona the work was continued by Mr. Mostyn, who was appointed resident there, an office which he held before the breach caused by the alliance with Rugonath Row. The resident too found other occupation in the intrigues of a Frenchman, bearing the authority of his own government to negotiate with the Mahrattas. This person, who bore the appellation of the Chevalier

St. Lubin, was not unknown in India. He had obtained the confidence of the government of Madras, and had been a main cause of producing the disasters which had attended their war with Hyder Ali. He subsequently introduced himself to the ministry of France, ever jealous of the extended empire of the English, and ever ready to annoy them in their distant possessions. To them the chevalier boasted of his influence with the most distinguished potentates of India, of the services which he had rendered Hyder Ali, and of his intimacy with the Mahratta rajah. The gross ignorance which at that time prevailed in Europe on all matters relating to India led to his being believed and employed. His intrigues excited the alarm of the Bombay government, and that of Bengal was apprized of their feelings. The governor-general immediately proposed that a large military force should be assembled at Calpee, to march to Bombay or to such other place as subsequent events or the will of the government of that presidency might determine. The proposal was the subject of long and vehement debate, and had it been made somewhat earlier it would have been defeated. But General Monson and General Clavering were dead: Hastings's influence predominated in the council, and the proposal was carried. The force, consisting of six battalions of infantry, a company of artillery, and a corps of cavalry, was placed under the command of Colonel Leslie.

The councils of Poona were distracted by com-

CHAP. X.

plicated intrigues. The ministers there had separated into parties, one of which espoused the cause of Rugonath Row. With them the government of Bombay was well disposed to co-operate, and their views were in accordance with those of the Court of Directors, who had expressed dissatisfaction with the treaty concluded by Colonel Upton, and intimated that if a fitting opportunity should arise for its abandonment it ought to be embraced. Some articles of the treaty were unfulfilled, and the answer given to a demand, whether the ruling party intended to fulfil its provisions, was regarded as evasive. A new agreement was thereupon formed with Rugonath Row, differing in one important point from the former. Rugonath Row was to be regent only; all the acts of government were to be performed in the name of the infant peishwa; and its entire powers surrendered to him on the expiration of his minority.* The government of Bengal had authorized that of Bombay to take such a course if the terms of the treaty with the ministers at Poona were not complied with.

The detachment from Bengal was a long time on its march, and unfortunately the government of Bombay were too eager for the commencement of active operations to wait its arrival. They prepared and put in motion an expedition under Colonel Egerton, who is stated to have been an inefficient

* A variety of intrigues and changes at Poona preceded this arrangement, but the detail, while it would occupy much space, would be totally uninteresting to the generality of readers.

officer,* and whose powers were controlled by a committee of field deputies.† The force placed under this anomalous control was about four thousand strong. It advanced slowly, was subjected to great annoyances from the enemy, and in a few days was deprived of Lieutenant-Colonel Kay and Captain Stewart, two of its best officers.‡ Sickness soon compelled Colonel Egerton to relinquish the command, a circumstance in which the army probably suffered no loss. He was succeeded by Lieutenant-Colonel Cockburn; but that officer's talents for command were not subjected to long trial. Rugonath Row, to stimulate the activity of his European allies, had suggested to them that no power of consequence would declare for him till some advantage had been obtained. The communication had the opposite effect to that which he had intended; the committee became despondent, and they took the extraordinary resolution of simultaneously opening negotiations with the authorities

* Captain Duff, author of the History of the Mahrattas, gives this opinion. Colonel Egerton's cotemporaries seem also to have held it.

† In the same manner as the operations of the Madras army during part of the contest with Hyder Ali.

‡ Of the latter officer Captain Duff says, "It is a remarkable fact that his name is to this day familiar in the Mahratta country by the appellation of *Stewart Phakavy*, which expresses something more than the gallant Stewart, a circumstance that marks the strong impression made by his conduct; and what soldier, wherever he may fall, could desire a nobler epitaph than that such a tradition should be preserved by his enemies?"—History of the Mahrattas, vol. ii. page 367.

CHAP. X. of Poona, and commencing a retreat towards their own territory. It was suggested that it would be well to wait the result of the negotiation before retreating, but in vain. Rugonath Row joined his voice to those who invoked the committee to pause before deciding on a step which was certain ruin, but his efforts were as fruitless as those of others.

A. D. 1779. The night of the 11th January, 1779, constitutes a dark epoch in the history of British India. On that night the British detachment, which had not long before moved in the proud hope of shortly giving a ruler to the Mahratta state, turned its back in flight upon the men whose power it had so recently defied: the heavy guns were thrown into a tank, the stores burnt, and, without an effort to achieve the object for which the army had advanced, without an act that could in the slightest degree soften the disgrace which involved this ill-fated expedition, the British force commenced its retrograde march. It was fondly believed that this movement was secret, but those who thought this knew little of the enemy with whom they had to contend. Three hours after the commencement of the march the advanced guard was fired upon by horsemen, and the fugitives then became aware that they were not unobserved. They were soon afterwards attacked in the rear, and by break of day were completely surrounded. Throughout that day and the following the English army were sorely pressed, and the fearful effects of ill success in an Indian army began to be manifested

in numerous desertions. On the 13th further retreat was deemed impracticable, and it was determined to trust solely to the effect of negotiation. The Poona ministers demanded the surrender of Rugonath Row, and his panic-struck allies would have complied had they possessed the power. Rugonath Row had, however, taken care of his own safety, and this additional disgrace was spared them. As the case was, there was quite enough of shame. A convention was concluded, by which the peaceable return of the British army was secured by the Mahrattas, the English, in return, agreeing that Salsette and all the recent acquisitions from the Mahratta states should be restored, and that the Bengal detachment should be ordered back to Calcutta. By a separate agreement with Scindia, whose influence was considerable, the fort and government of Broach were to be delivered up to that chief, and two English gentlemen were to be left as hostages for the performance of the engagement.*

* This document is so extraordinary a composition, and so degrading to the British character, that the full measure of the humiliation incurred by the representatives of the government of Bombay will not be understood without reference to the translation, as published by the Committee of Secrecy of the House of Commons, Sixth Report, 1782, Appendix 130:—"That after falling out with the circar of Mhaderow Narrain Pundit Prundfar, we [the English] with an army came upon the ghaut and remained at Tullagaum, on which you [the Mahrattas] ordered a fighting, and we both parties did fight, in which we [the English] were defeated, returned back and encamped at Woorgoon with Dada Sahib [Rugonath Row]. We [the English] could hardly reach Bombay with our army and stores; considering which, we sent Messrs. Farmer and Holmes to you, desiring you [Scindia] would come between us and get the circar's and our treaty settled

This arrangement cost forty-one thousand rupees, distributed in presents. Thus disgracefully terminated the hostile purposes of the Bombay government with regard to the Mahrattas. Morbidly anxious for war with that people, they had commenced hostile operations imprudently, conducted them without skill, and abandoned them without honour. "Success," says Captain Duff, "that grand apology for statesmen's blunders, had not attended the

as before, and conduct us and the army to Bombay. On which you did suspend the war; you came between us and got the circar's and the English treaty settled, and you proposed to conduct us and the army to Bombay without molestation from anybody; you made our escape entirely: all which we took into our consideration, and are very glad. You are a powerful officer and well-wisher to this government, which has induced us to keep a friendship with you; this came into your mind, and we were satisfied that you made us free from the circar's and everybody's molestation, and got the treaty settled, as before, without any defeat from the circar; therefore we thought we should serve you, and for which reason have, of your own free will and accord, agreed, under the King's and Company's seal, to deliver up to you the fort of Broach with its government, in the same manner the Mogul did hold it, which fort is now in our possession, and which we have given you. We further agree that we will, on our arrival at Bombay, obtain the governor's dustuck, under the King's seal, to the Killadar of Broach, and deliver the fort and its country, in the manner the Mogul did hold it, up to you. Under oath, no dispute shall arise in this. This we promise solemnly, and we have left Mr. Farmer and Mr. Charles Stuart with you as hostages for the performance of this agreement. We will let no dispute arise. This we agree to in writing." Such was the document which Englishmen were found not ashamed to subscribe. The translation is evidently made by one little skilled in English, but it is sufficiently clear to mark the degradation of those who signed it.

schemes which they had been labouring to be permitted to attempt. From the time the supreme council exercised their fresh authority by a precipitate interference, the majority of the members of the Bombay government endeavoured, by argument and artifice, to bring about their own designs; and instead of taking an enlarged and dignified view of the national interests and government in India, which would have been an honour to themselves and a reproach to their opponents, they lost the commanding ground on which they stood by following a course which brought about its own undoing." "Their contracted policy," says the same author, "was directed merely to carry their point in favour of Ragoba,* and to aggrandize their own presidency. In sending off the expedition, it would seem as if they had been actuated by the puerile desire of shewing the Bengal government what Bombay could do without their assistance." "In short," he adds, "the Bombay government neglected opportunity, they overlooked changes of circumstance, they desperately sent a handful of men against the strength of the Mahratta empire, and committed the conduct of an enterprise, practicable only by celerity, address, and resolution, to men unfit for such a charge."†

The slow progress of Colonel Leslie with the Bengal detachment had been owing partly to unfavourable weather, but principally to his engaging in

* Rugonath Row.

† History of the Mahrattas, vol. ii. pages 379, 380.

CHAP. X. negotiations and disputes with the chiefs of the country through which he had to pass. In five months he advanced only a hundred and twenty miles; and his progress was so unsatisfactory as to lead Hastings, whose confidence he had previously possessed, to acquiesce in his recal. Colonel Goddard was appointed to succeed to the command; but before the order for effecting this change was passed, death had removed Colonel Leslie from the possibility of being affected by it.

The character of Colonel Goddard's movements was widely different from that which had marked those of his predecessor, and he displayed extraordinary tact and judgment under very embarrassing circumstances. He had been exempted by the government of Bengal from the necessity of yielding obedience to that of Bombay; still an acquaintance with the views and wishes of the latter government might often be very desirable. In taking the field in favour of Rugonath Row, the Bombay government had written to Colonel Goddard, urging him to advance. On concluding the memorable convention with the Mahratta state, the field deputies again wrote, advising him that "the face of things was so materially altered, as to occasion their marching back to Bombay," and directing that he should in like manner march back with his army to Bengal. Three days afterwards they again wrote, intimating that, upon recollection, they did not think themselves authorized to give the orders which they had sent for his return, and desiring

him to pay no attention to them. He did pay no attention to them; his march was pursued with extraordinary celerity. He thus avoided twenty thousand horse which had been sent from Poona to intercept him, and arrived with his army in safety at Surat. His reception by the government of Bombay was honourable to all parties. He was requested to join in the deliberations of the council, and recommended for the appointment of commander-in-chief.

Mr. Hornby, the governor of Bombay, was resolved not to recognize the convention concluded by the field committee with the Mahrattas, nor to make the stipulated cessions of territory; and as the Poona authorities had been distinctly informed that the committee had not power to conclude any definitive treaty, there was scarcely even the appearance of injustice in this determination. The government of Bengal, on becoming apprized of the transaction, took the same view of the subject as did Mr. Hornby. That gentleman was of opinion, moreover, that the agreement with Scindia should be ratified, and in this view also the government of Bengal coincided. The conduct of Hastings—for to him the chief merit is to be attributed—in relation to the gross errors committed by the government of Bombay, was singularly moderate, dignified, and judicious. It was most fortunate that at the time he possessed the power, which he had sometimes wanted, of carrying his own views into effect. His language in reference to the course which, under the circumstances,

CHAP. X.

it behoved the government of Bengal to pursue, deserves to be quoted—it deserves to be remembered upon all similar occasions, if similar occasions should ever occur. "Whatever our resolutions," said the governor-general, "I hope the board will see with me the propriety of conveying them in such a form and temper as may give encouragement and confidence to the presidency of Bombay, instead of adding to their depression. They are the immediate guardians of the Company's property on that side of India; and it is by their agency that we must defend and support the general rights of the Company and the honour of the British nation, unhappily involved, as they appear to be, in the consequences of their past miscarriages. In an emergency so critical and important, we have, as I conceive, but this alternative—either to transfer the power (if we can do it) into fitter hands, or to render it as complete and efficacious as it can be made in theirs. To mark our want of confidence in them by any public act would weaken theirs in us; to load them with harsh and unoperating reproaches would indispose them to our authority, at the same time that it would absolve them from its effect; and to bind their deliberations by absolute and unconditional orders might eventually disable them from availing themselves of any fortuitous advantages which the confusion of the Mahratta government is more likely to offer them than any plan which we could prescribe to them, or which they could form on the letter of our instructions. In a word, such a con-

duct, by inflaming the passions of men whom we are not to regard as exempt from the common infirmities of humanity, would prove the surest means of converting the powers which were still left in their hands into the instruments of opposition, and even of the defeat of the very measures which require their agency, and cannot be accomplished without it; let us rather excite them to exert themselves for the retrieval of their past misfortunes, and arm them with means adequate to that end—restricting their powers when the object is determinate, and permitting a more liberal extension of them in cases which are too variable and uncertain for positive injunctions. Their admission of Colonel Goddard to a deliberative seat at their board, and the request which they have made to us to allow of his being appointed to the chief command, if it should be vacant, of their military establishment, which would give him an effective voice in the select committee, present to us an occasion of their adopting the principle which I have recommended, with the most ample caution for the safe application of it."* These remarks reflect honour on Hastings's judgment, and being made while under the influence of the bitter disappointment created by the defeat of objects for which he was more than usually anxious, and with which his reputation was deeply involved, they exhibit a degree of good feeling of which he did not always afford an example; they

* Minute of Governor-general, Bengal Secret Consultations, 24th May, 1779.

CHAP. X. possess one of the most striking marks of practical wisdom; called forth by a particular occasion they are capable of general application wherever circumstances exist, even remotely resembling those under which they were delivered.

The confidence expressed by the governor-general in the government of Bombay, and the forbearance which he had extended to their errors, were not without effect in producing correspondent feelings on their part. There were several points connected with the mission of Colonel Goddard which were offensive to them; but though they remonstrated against them, their feelings on these subjects neither diminished their respect for the distinguished commander of the Bengal detachment, nor deprived him of their cordial co-operation.

Colonel Goddard was entrusted by the government of Bengal, in addition to his military powers, with authority to negotiate a treaty with the Mahratta state on the basis of the treaty of Poorunder, the name by which the treaty concluded by Colonel Upton was distinguished. He entered on his task, and several months were consumed in negotiations ending in nothing. Rugonath Row, in the mean time, had escaped from Scindia, with whom he had taken refuge, and was received, though with little cordiality, by the English commander.

A. D. 1780. In the beginning of the year 1780, General Goddard* put his army in motion. After some minor

* He had been raised to the rank of brigadier-general by the Bengal government. The government of Bombay, while admit-

successes Ahmedabad was taken by assault. This was followed by intelligence that Scindia and Holkar were approaching with a large and hostile force. General Goddard advanced to give them battle, but their retirement defeated his intention. Scindia, it appeared, professed friendly views towards the English, and in proof of his sincerity, he set at liberty the two gentlemen who had been left as hostages for the performance of the agreement with him. This act of generosity was succeeded by the dispatch of a vakeel from Scindia with assurances of friendship. General Goddard professed the like feelings on the part of the English, and some attempts to negotiate ensued; the object of Scindia at that time being to secure to himself the chief power in the Mahratta state. General Goddard thought these overtures evasive, and he treated them accordingly. The negotiation, which it was the wish of Scindia to protract, was, by the decision of General Goddard, soon brought to an end, and it was followed by an attack upon Scindia's camp. The attack was successful, and the enemy retired, but immediately returned and took up the same position as before. CHAP. X.

In another quarter the arms of the British government were directed against the Mahrattas with signal success. An alliance had been formed with the Rana of Gohud, a district in the province of Agra. The Rana, being attacked by the Mahrattas, de-

ting the merits of General Goddard, objected to the rank being bestowed on him except through them.

CHAP. X.

manded aid from his British ally, and a body of troops, under Captain Popham, which had been intended to reinforce the army of General Goddard, was assigned for the required service. The labours of the troops placed at the disposal of the Rana were not confined to the defence of that prince's territory. Captain Popham entered some of the Mahrattas districts, and ventured upon undertakings which the commander-in-chief, Sir Eyre Coote, regarded as altogether disproportioned to the strength of his force. The first of these was an attack upon Lahar, a fortified place, about fifty miles west of Calpee. The place was stronger than had been anticipated, but Captain Popham, having summoned it to surrender, would not withdraw without an effort to gain possession of it, although he was unprovided with the requisite means of conducting a siege. The guns were too light to have much effect; but a very imperfect breach having been made, it was resolved to storm. Both the leading officers, Lieutenant Logan and Cornet Gardener, fell before they arrived at the top of the breach; but their place was worthily supplied by Mr. Odell, a volunteer, who mounted the walls, followed most gallantly by the rest of the party. They were exposed to a murderous fire; but, notwithstanding, succeeded in driving the enemy before them. Dreadful slaughter ensued on both sides. The enemy defended themselves with desperation; and it was not until the garrison, which had consisted of five hundred men, was reduced to their killadar and a mere handful of

his dependents, that quarter was demanded. The triumph of the English was brilliant; but it was purchased with the loss of a hundred and twenty-five of the brave men to whose gallantry it was attributable.

A still more splendid prize was soon to reward the enterprising spirit of Captain Popham. Gwalior had been regarded by the native military authorities as impregnable. Such a belief has existed with regard to so many places which have afterwards yielded to European skill, that little regard is due to Indian opinions of impregnability. Gwalior, notwithstanding, was a place of considerable strength, and it was so situated as to render it both difficult and dangerous to make the observations necessary previously to undertaking an attack. Captain Popham did not proceed hastily or rashly. He devoted considerable time to the purpose of ascertaining the weak points of the fortress. It was built upon an exceeding high rock—was scarped nearly round, and was garrisoned by a thousand men. The part selected for attack was sufficiently formidable. The scarp was about sixteen feet high; from thence to the wall was a steep ascent of about forty yards, and the wall which was to be escaladed was about thirty feet high. Having made choice of his point, Captain Popham determined upon an attempt which to himself appeared not unlikely to end in defeat; but "the object," said he, "was glorious," and he took all the precautions in his power to frustrate the disastrous consequences of a repulse, should such be the fate

CHAP. X. A. D. 1780.

that awaited him. At midnight, on the 3rd of August, ladders and all other auxiliaries for scaling being prepared, the party for the attack was formed. Two companies of grenadiers and light infantry led the van; Captain Popham followed with twenty Europeans and two battalions of sepoys. A battalion, two guns, and the cavalry were ordered to march at two o'clock to cover the retreat of the English party, in case of premature discovery, or, in the event of success, to prevent the garrison from escaping. At break of day the van arrived at the foot of the scarped rock. The spies ascended by wooden ladders, and, having made fast ladders of ropes, the troops followed. Some resistance was offered, but the garrison were intimidated by the unexpected attack, and the assailants, with little trouble and small loss, were soon masters of the boasted stronghold of Gwalior. The arrangements made for intercepting the garrison, in case of their attempting flight, were less successful than those which had led to the capture of the fortress, for the greater part of them succeeded in effecting their escape. Captain Popham was rewarded for his gallant services, by being promoted to the rank of Major.

Before the fall of Gwalior, Hyder Ali had invaded the Carnatic with a force one hundred thousand strong. This incapacitated the government of Bengal from rendering any assistance to that of Bombay. The latter had, consequently, to depend on its own efforts, and with very limited

means the war with the Mahrattas in that quarter continued to be carried on with considerable vigour. General Goddard marched in October to attack Bassein, and arrived before it by the middle of November. Finding the place very strong, and defended by a numerous garrison, he determined to carry on his operations with regularity and precaution. On the morning of the 28th of November, he had completed a battery of six guns and six mortars within nine hundred yards of the place, and, under cover of their fire, carried on his approaches to a spot where he erected a grand battery of nine 24-pounders, which was opened on the 9th of December within five hundred yards of the wall. Besides these, he had a battery of twenty mortars of various sizes, which opened upon one of the flanks of the parapet. These preparations were formidable, and they were used with such effect, that on the day after the opening of the grand battery an offer of surrender was made. Some difficulty in the arrangements occurred, and the firing recommenced; but, on the 11th, the place surrendered at discretion. A. D. 1780.

The operations of the besiegers were covered by a force under the command of Colonel Hartley. The Mahrattas had hoped to be able to throw succours into Bassein, but finding their attempts abortive, they sought vengeance in the destruction of Colonel Hartley's army. They attacked him with a force of about twenty thousand horse and foot, but were unable to gain any advantage over him. This

CHAP. X. army had been engaged for nearly six weeks in almost daily skirmishes. It had suffered severely from sickness as well as from other causes, and if military renown could be apportioned precisely to merit, the army under Colonel Hartley would enjoy a very large share. In reference to this subject Captain Duff makes the following remark: "The fact is, that military service in India seems always to have been commended rather in proportion to the result, than to the duty performed; and this trying and well-fought campaign is scarcely known even to the gallant army by whom it was maintained."* Captain Duff's remark ought to have had a much wider operation. The assertion that military labours are appreciated according to their brilliancy or apparent effect, rather than with regard to their real importance, is true, not merely of the service in India—it is applicable to all military service wherever performed. Men are naturally struck with that which is distinguished either by splendour in achievement or by obvious importance in its results. The soldier who perishes of disease in a trench may deserve admiration not less than he who falls in the breach; but the prominence which circumstance gives to one is withheld from the other. As far as popular opinion is concerned the evil is irremediable; but those who have the responsibility of distributing the rewards of military merit, whether those rewards be honorary or pecuniary, should not suffer their judgment to be so far influenced by

* History of the Mahrattas, vol. ii. page 429.

the magic brightness of one description of military service, as to render them insensible to the claims of another equally well entitled to praise and reward. Though the soldier may have been necessarily denied the opportunity of winning the admiration of the crowd, he should always find in his superiors the judgment to discern his merits, and the justice to reward them.

The operations of the British arms on the western side of India had for some time been eminently successful; but the governor-general was nevertheless most anxious for peace. This feeling was not unreasonable. In the Carnatic the war had been unskilfully conducted; great disasters had been sustained, and the utmost despondency prevailed at Madras. The government of Bengal, too, naturally contemplated with alarm the extent of the confederacy with which they had to contend. Hyder Ali, Nizam Ali, and nearly all the Mahratta powers, were either openly or secretly engaged against them. Hastings had expected to secure the Rajah of Berar as an ally; but the rajah's friendship cooled in proportion as the success of the English declined, and it became obvious that he could not be depended upon even for neutrality. Amidst all these difficulties, Hastings had to contend with that which had so often pressed heavily on his predecessors—the want of funds. He was at this time, too, more than usually annoyed and thwarted in council by violent—and probably with regard to one, at least, of his colleagues, there would be no breach of cha-

CHAP. X.

rity in adding — dishonest opposition. Sir Eyre Coote was absent from Calcutta—when present, indeed, his temper does not appear to have been always such as was calculated to smooth the troubled waters upon which he was cast; but his absence left Hastings without a supporter against the combined attacks of Francis and Wheler. The governor-general had taken upon himself the responsibility of conducting the Mahratta war to a successful issue, but those who should have aided were anxious only to embarrass him. The conduct of his colleagues, the circumstances by which he was surrounded, all conspired to make him desirous of peace; and the wish of the Bengal government being communicated to Bombay, the government of that presidency were instructed to discontinue hostilities, on being duly apprized that they were suspended on the part of the Peishwa, but in the mean time to prosecute the war with vigour. The latter part of these orders was scarcely fulfilled. General Goddard marched to threaten Poona. The Bhore Ghaut was gallantly attacked and easily carried by Colonel Parker, at the head of an advanced party. The main body followed, and the head-quarters of General Goddard were established at the foot of the Ghauts. But this demonstration failed in producing the effect anticipated, and no attempt was made to push on to Poona. The minister of the Peishwa amused General Goddard for a time with pretended negotiations, and these being broken off, the general, whose army had been greatly harassed, prepared for re-

treat. This was effected with considerable difficulty, and with great loss of men, stores, and equipments. In the conflicts which took place the British troops lost nothing of honour, but the spirits of the Mahrattas were greatly elevated by the success which they had gained.

While these events were in progress, the British government had been endeavouring to strike an important blow at the power of Scindia, who had the reputation of being the chief fomenter of the war. A detachment under Colonel Camac had been dispatched, with the primary object of reinforcing General Goddard; but its march was subsequently countermanded, and the force under Major Popham being incorporated with it, the whole was placed under the command of Colonel Camac. The instructions to that officer empowered him, if he thought it practicable and expedient, to carry the war into the territories of Scindia and Holkar. To this, Francis and Wheler objected. The governor-general alleged that he could perceive no objection to the proposal, except on the ground of expense, and to obviate this, he offered to furnish the requisite amount from his own resources. His opponents, however, still resisted, and it was this subject of dispute which gave rise to the duel between the governor-general and Francis. The proposed instructions to Colonel Camac were variously modified, in the course of the discussions which took place; but finally, Hastings, by the accidental, or professedly accidental, absence of

CHAP. X. Francis, was enabled to carry his point.* His views were afterwards confirmed by the judgment of the commander-in-chief. But the expedition was soon involved in great difficulties. Colonel Camac had penetrated into Malwa, in expectation of assistance from some neighbouring rajahs, of which he was disappointed. While encamped at Seronge, Scindia's army approached with a large train of artillery. The English army at this time began to be in want of provisions, and the country being laid waste by the enemy, there was no prospect of procuring a supply. In this situation the English camp was cannonaded during some days, when Colonel Camac determined to retreat. He effected his purpose in

* The advocate-general, Sir John Day, who appears on several occasions to have laboured strenuously to maintain peace between Hastings and Francis, exercised his good offices on this. Hastings, in a letter to Mr. Sulivan, after giving an account of the interposition of Sir John Day, declares that the latter was the bearer of a message from him to Francis, insisting on the expedition to which Francis objected, and reproaching him with an alleged breach of the agreement between them. "Mr. Francis," says Hastings, "defended himself for a little while, but at last said, that he should be obliged to absent himself for some time for the recovery of his health (being at that time seized with an epidemic fever), but that I might avail myself of the interval to propose and carry what resolutions I pleased by my casting vote; all that he wanted was not to be concerned in acts to which he could not consistently assent."—Gleig's Memoirs of Hastings, vol. ii. p. 305. In a subsequent part of this letter, Hastings expresses a suspicion that Francis's absence was not caused so much by want of health as by a wish for an interview with Sir Eyre Coote at some distance from Calcutta, which however, it appears, did not take place. If the statements in this letter be not a tissue of gross falsehoods, the conduct of Francis was such, that to characterize it as dishonourable would be to use an indulgent form of expression.

a soldier-like manner; but having been for several days harassed by the desultory annoyances of the enemy, he resolved to become the assailant, and attacking Scindia's camp, he gained a complete victory, carrying off several pieces of cannon, with the greater part of the enemy's stores, ammunition, and baggage. This defeat greatly abated the martial propensities of Scindia, and he made overtures of peace. After some months, a separate treaty was concluded with him, and he at the same time undertook to interpose his influence to promote an amicable settlement of the differences between the English and the other belligerent power. Indeed, the English at this time evinced rather too great an anxiety for peace. All the presidencies were at once pressing it; and General Goddard, who had been entrusted with powers to negotiate, was pursuing the same course. A treaty was ultimately concluded by Mr. David Anderson, agent of the governor-general. As may be supposed, it was little favourable to the English. All the conquests made since the treaty of Poorunder were renounced, and all the blood and treasure expended in making them consequently thrown away. But if the Mahrattas were indisposed to acquiesce in the conquests made by their enemies, they at the same time evinced a laudable impartiality by consenting to stipulate for surrendering those made by an ally. All the conquests made by Hyder Ali from the Nabob of Arcot, as well as from the English,* were to be restored. Both parties to the

* These conquests will be detailed in a subsequent chapter.

CHAP. X. treaty stipulated that the allies of each should maintain peace with the other; and the English were solaced for the loss of their conquests by the exclusion of all European traders, except themselves and the Portuguese, from forming establishments within the Mahratta dominions. Scindia, who was surety for the due performance of the treaty on both sides, as well as one of the Peishwa's negotiators, was rewarded for his mediation and his guarantee by the confirmation of the cession of Broach to him. Some delay took place at Poona, but the treaty was finally ratified there as well as at Calcutta.

CHAPTER XI.

BEFORE passing to the events which more immediately connect the Madras presidency with the transactions related in the last chapter, it will be necessary to revert to some which occurred in the period that intervened between the subjugation of Tanjore and the irruption of Hyder Ali into the Carnatic. The conquest of Tanjore* and the deposition of the rajah had been condemned by the Court of Directors, and their displeasure was manifested by the removal of Mr. Wynch, the governor under whom these acts had taken place. His successor was Lord Pigot, who had formerly held the office, and had therein acquired considerable reputation; more especially by his conduct when Madras was besieged by the French under Lally.† His instructions were to restore the rajah of Tanjore, under certain conditions; an act extremely distasteful to Mahomet Ali, and which he opposed with all the argumentative power and rhetorical artifice which he could summon to his aid. He resolutely asserted his own right to continue in possession, vilified the character of the rajah, pathetically ap-

* See page 30.

† After his return he had been created an Irish peer.

CHAP. XI.

pealed to the services which he had rendered to the Company and to his own declining years, and urged the assurances of the King of Great Britain, conveyed to him by Sir John Lindsay. As a last resort, he implored delay, till he could bring his case once more before the Company in England, but in vain. The governor, resolved to carry out his instructions, proceeded to Tanjore, and issued a proclamation announcing the restoration of the rajah.

At this time, a man memorable, or rather notorious, in the history of the British connection with the Nabob of Arcot, first became conspicuous. The Nabob had hinted that if he were dispossessed of Tanjore, his ability to discharge the debts owing by him to British subjects would be seriously affected. Immediately after the proclamation of the rajah, a civil servant of the Company, named Paul Benfield, intimated that he held assignments on the revenues of Tanjore for sums of vast amount, lent by him to the Nabob of Arcot, and other assignments on the growing crops for large sums lent to individuals. These allegations were more than suspicious. It was not to be supposed that Benfield brought with him to India any wealth, and he had there enjoyed no opportunity of honestly amassing any. The scantiness of his means had not been assisted by parsimony, for the habits of Benfield were expensive and ostentatious, beyond those of most men at the presidency. The governor properly demanded some evidence that the claims were just, but none was offered that could satisfy any one

who was not previously prepared to be satisfied. A majority of the members of the government determined against the claims, on the ground that those against individuals were not sufficiently made out, and that the claim against the Nabob could not be entertained. The means by which Mr. Benfield succeeded in shaking the opinion of some of the persons constituting the majority cannot be told; but to whatever cause it may be attributed, a change took place—the subject was reconsidered, and the board, which had just resolved against the claims, reversed their own decision, by determining that the crop sown during the Nabob's possession was his property—a proposition not deficient in plausibility, more especially as the government of Madras had recognized his right by assisting him to take possession of Tanjore; but it was followed by another, more startling and much more to Mr. Benfield's purpose, namely, that the alleged assignments of the Nabob to that person gave to his demands the character of public claims. The governor had strenuously opposed these conclusions, but his opinion was disregarded, and even his customary and recognized claim to precedence in the conduct of the public business denied and invaded.

This struggle was succeeded by another. A British resident was to be appointed for Tanjore. Lord Pigot proposed Mr. Russel, a civil servant; the majority of the board supported Colonel Stuart, who held the second military command at Madras, and who was destined by the same party for the appointment of commandant at Tanjore. The ques-

CHAP. XI.

tion was violently debated at several meetings, the governor refused the formality of his signature to the papers necessary to carry into effect the will of his opponents, and at length the latter determined to act without it. The governor was equally bent upon maintaining his own rights, and upon two members of the board affixing their signatures to a paper to which his had been refused, he charged them with acting in a manner subversive of the authority of the government. This charge was formally made, and as it was irregular for members of the government, against whom a charge was pending, to deliberate or vote on questions arising out of such charge, the governor was able, by his casting vote, to pass a resolution, suspending the accused parties, Messrs. Brooke and Stratton. This gave rise to proceedings not dissimilar to those which shortly afterwards took place in Bengal. The persons constituting the former majority seceded, and having forwarded a protest against the conduct of Lord Pigot, assumed to themselves the rights of the government, and claimed the obedience due to a lawful authority. This was followed by the governor and his friends declaring all the refractory members of the board suspended, and ordering Sir Robert Fletcher, the commander-in-chief,* into arrest, for the purpose of being brought to trial by a court-martial.

The adverse party followed the example of their

* This most fortunate of officers had again attained the chief command, notwithstanding his scandalous conduct in Bengal, and his insubordination at Madras.

chief with no slow nor indecisive steps. They determined to arrest his person, and on the 24th of August, 1776, the governor of Madras became the prisoner of certain members of his own council. He appealed to Sir Edward Hughes, the admiral commanding the squadron in the Roads, for protection, and the admiral demanded that safe conduct to the ships should be given him. The ruling body inquired whether Sir Edward Hughes would be responsible for Lord Pigot if the request were complied with. The admiral answered that he tendered the requisition in the King's name, and would make no terms. The acting council replied that they had no proof that the Crown empowered its officers to require the removal of any servant of the Company in such a situation as that of Lord Pigot, from under the authority of the Company's government; and the admiral rejoined that the case was unexampled, that he had done his duty in making the requisition, and must leave those who had resisted it to meet the consequences. One of these consequences was lamentable; the constitution of Lord Pigot, impaired by age and an Indian climate, sunk under the irritation to which he had been exposed and the restraint to which he was subjected, and he died the prisoner of those over whom he had been appointed to preside.

In the proceedings which led to this melancholy result, it is impossible not to see that there was great cause for blame on both sides. The majority of the board having the right of determining al

CHAP. XI.

questions coming before them, and the governor having then no legal power to act without his council, Lord Pigot's refusal to attach his signature to acts lawfully done cannot be justified. If a case of great and imminent danger, state necessity might have been successfully pleaded to excuse the irregularity; but here there was no ground for such a plea. Corruption might, indeed, have been let loose upon Tanjore; but the evil, though great, would not have been past remedy. The subsequent suspension of some members of council was an extraordinary act of power, for which no sufficient excuse can be alleged, and Lord Pigot appears to have forgotten that the irregularities of his opponents had been provoked and countenanced by his own. The design of bringing the commander-in-chief to a court-martial is inexplicable; for, however offensive his conduct might have been to the governor, it does not seem that he had committed any military offence. Thus far Lord Pigot must be admitted to have acted with imprudence; but his errors almost disappear before the outrageous excesses of his enemies: if he could not reasonably believe that any overwhelming necessity called for violent measures, still less could they. It follows, therefore, that in resisting, arresting, and imprisoning one who derived his authority to preside over their deliberations from the same power which had given them the right to take part in them, they causelessly violated a plain principle of duty, and risked the peace and security of an important settlement for the sake of gratifying their

own passions. If the belief that such acts may lawfully be perpetrated were to be general, no government could subsist. The governor of Madras had not placed his refractory colleagues in any circumstances of suffering or of danger; he had not sentenced them to death, imprisoned their persons, or confiscated their property: he had suspended the exercise of their functions as members of the government; and though this was not a light penalty, it was one which, if their conduct would bear examination, they might hope to be relieved from on appeal.

The question, whether one person or another should be resident at Tanjore, appears a point of difference so utterly disproportioned to the consequences that flowed from the discussion, that curiosity is stimulated to inquire whether there were not some unavowed motives which lent importance to a dispute of a very ordinary character. It has been seen that there were certain demands upon the Nabob of Arcot connected with his possession of Tanjore. How many persons were interested directly or indirectly in the success of these demands, it is not easy to determine; but many besides Mr. Paul Benfield hoped to profit by the recognition of the right of the Nabob to the growing crop. Lord Pigot was opposed to the claim, and the candidate whom he supported could not be expected to promote the interests of the Nabob's alleged creditors so zealously as the nominee of the rival party in council. That party had lent itself to the maintenance of a

CHAP. XI. demand, improbable in itself and unsupported by proof. They wished, therefore, that the enforcement of that demand should take place under eyes not disposed to scrutinize. There is little reason to doubt that the claim was based in fraud, and most fitly was it sustained by acts of illegal violence.

It has been stated that Lord Pigot was offered an enormous bribe to defer, for a short time, the restoration of the Rajah of Tanjore, which he refused. On the other hand, his prompt and zealous fulfilment of his instructions has been attributed to the influence of expectations from the rajah, similar in character to those which some of the opposite party cherished with reference to the Nabob of Arcot. This, however, has only been asserted, not proved, and the conduct of Lord Pigot does not require the assumption of discreditable motives to explain it. There is nothing so remarkable in a public officer doing that which he is charged to do as to make it a matter of surprise. Lord Pigot came to India with orders to restore the rajah; he was himself the author of the arrangement with that prince which had been set aside by the countenance offered to the designs of Mahomet Ali, and his feelings were consequently on the side of his duty. It is possible, too, that he might actually feel indignation at the conduct of the real or pretended creditors of the Nabob, and be desirous, on public grounds, of effectually frustrating their designs. The charge against him originated with his enemies, who were

themselves labouring under accusations equally heavy and far better sustained.

It being recollected that the government of Bengal now possessed a controlling authority over the other presidencies, an authority which it was not indisposed to exert, it will naturally be asked how, in the case of the revolutionary proceedings at Madras—for such they were—that power was exercised? The answer must be, that it was not exercised at all; the Supreme Government remained inactive, while one of those subordinate to it was falling into anarchy. If ever there was a time when the superintending authority of Bengal should have been called into action, it was this. General Clavering and his party might be disposed, it may be thought, to sympathize with the malcontents at Madras, whose conduct bore so strong a resemblance to their own; but Hastings could have no such feeling, and where, it must be asked, was his wonted energy, at a time when it was so much required? Did he propose interposition, and was he foiled by the perverseness of his colleagues? Not so—he and they were unanimous in declining to interfere, and his friends claim for him the credit or the shame of having given the tone which, on this occasion, prevailed in the council of Bengal.* Hastings had

* "Mr. Hastings accordingly acquiesced himself, and *persuaded his colleagues to acquiesce in the new arrangements.*"—Gleig's Memoirs of Hastings, vol. ii. page 106. The new arrangements spoken of are those at Madras, consequent on the violence offered to Lord Pigot. In a letter to his friend Graham about this time, Hastings says, "On the affairs of Madras we are all of one

CHAP. XI.

always maintained his own rights as governor-general with unyielding pertinacity; why was he so blind or so cold to the rights of the governor of Madras? Though with more of moderation than some of his colleagues, he had been quite ready to interfere to restrain the lawful government of Bombay; how came the unlawful government of Madras to find such favour in his eyes? If his previous conduct convicts him of inconsistency, his subsequent acts abundantly support and justify the judgment. He endeavoured to expel from the council of Bengal certain members, on the ground of their having usurped powers which did not belong to them, and Lord Pigot did no more; indeed, he did not attempt so much, for he only suspended his disobedient councillors, while Hastings declared that his opponents had absolutely forfeited their right to sit in council. It has been seen that Hastings had not hesitated to join in controlling the government of Bombay; it will hereafter appear that he suspended the governor of that very presidency, Madras, with which he now declined to interfere, though rebellion held sway over it. Into the motives of this

mind—thank God."—See Gleig's Memoirs, vol. ii. page 113. Hastings thanked God that no attempt would be made to relieve the governor of Madras from imprisonment, or to restore him to his rights—that the usurpers of the powers of the government would continue to exercise their illegal authority undisturbed, and that the dishonest creditors of Mahomet Ali would, for a time at least, rest in peace. Such is the meaning of the pious ejaculation uttered by the governor-general, without doubt in all the sincerity of true devotion.

tenderness it were vain to inquire. It would be difficult to assign one that could confer honour on Hastings, and his forbearance but furnishes an additional proof that he was without any fixed or determinate principles of action—that he had no rule but expediency—and that even his expediency was not of that enlarged and lofty character which regards indirect and remote consequences as well as immediate convenience—that it was of that kind which looks not beyond the moment, and defies the scruples of a far-seeing prudence not less than the rules of abstract right. CHAP. XI.

At home the proceedings at Madras excited a strong sensation, and gave rise to much discussion. The Court of Directors appear to have been greatly divided. On the 26th of March, 1777, the subject was brought forward in a general court, when it was moved, "that it be recommended to the Court of Directors to take such measures as shall appear to them most effectual for restoring Lord Pigot to the full exercise of the powers vested in him by the commission from the Company, as governor and president of the settlement of Madras, and for inquiring into the conduct of the principal actors in imprisoning his lordship, and dispossessing him of the exercise of the legal powers wherewith he was invested." A ballot was demanded, which took place on the 31st, when the motion was carried by 382 votes against 140. In the Court of Directors, the feeling in favour of the deposed governor was much less strong. It was proposed to send out to A. D. 1777.

CHAP. XI. Madras a commission of inquiry and supervision; but a motion to that effect, made on the 9th of

A. D. 1777. April, was lost. On the 11th, it was moved to restore Lord Pigot and the members of council who had adhered to him—to pass a censure on the members who had assumed, without authority, the entire powers of the government, and to suspend them the Company's service: but with the view of conciliating the opposite party, it was proposed to qualify these acts by placing the restored members of council at the subordinate settlements, and by declaring that the governor's proceedings appeared to have been, in several instances, reprehensible. A series of resolutions, embodying these points, was put to the vote, and the numbers on each side were equal. In conformity with the rule which then prevailed, the question was referred to the decision of the lot, and by that process was carried in the affirmative.* Still the question was not set at rest. The annual change in the Court of Directors took place, and at the first court after that event, the chairman, Mr. Wombwell, intimated his intention of submitting a series of resolutions on the recent events at Madras. At a subsequent court he moved, and the court resolved, that the powers claimed for and assumed by Lord Pigot were

* The charter of William the Third prescribed this mode of deciding questions in case of equality of numbers. By 53 Geo. 3, chapter 155, its use was restricted to cases of election to office or place where there should be more than one candidate: in all other cases, an equality of votes was to be equivalent to a rejection of the motion or proposition on which the question was put.

"neither known in the constitution of the Company, nor authorized by charter, nor warranted by any orders or instructions of the Court of Directors."* The chairman followed up this blow by another. He moved, "that the proposition to send Mr. Russel to Tanjore as resident was not warranted by the orders of the Company, nor necessary for the carrying them into execution;" but here success deserted him: the motion was lost. The consideration of the other propositions of the chairman was then postponed; and at a court held on the following day, both parties enjoyed some degree of triumph. The friends of Lord Pigot successfully resisted the passing of a resolution, declaring the exclusion of Messrs. Stratton and Brooke from council arbitrary and unconstitutional; and they carried two other resolutions, condemnatory of the violence offered to his lordship, and of the suspension of those members of council who supported him. On the other hand, the enemies of the unfortunate governor proposed and carried a resolution condemning the conduct of Lord Pigot in receiving certain presents from the Nabob of Arcot. This act of the governor was clearly contrary to law, and is incapable of defence. The presents were, indeed, of very trifling value—not exceeding a few hundred pounds—their receipt was openly avowed in a letter to the Court of Directors—they were bestowed by the Nabob of Arcot, and towards whom Lord Pigot certainly manifested no undue partiality; but these circumstances cannot

* Minutes of Court, 21st April, 1777.

CHAP. XI. remove the illegality of accepting them, and it is to be lamented that Lord Pigot should have given his enemies an opportunity of reproaching him on this ground. On the 23rd of April the subject again occupied the attention of a general court, when it was resolved to adjourn for a fortnight. On the 7th of May the court again met, and, after much debate, it was resolved to refer to the decision of a ballot a series of resolutions of an extraordinary character. They censured the invasion of his lordship's rights as governor, and acquiesced in his restoration; but recommended that such restoration should be immediately followed by his recal, in order that his conduct might be more effectually inquired into: for the same reason they recommended the recal of the councillors who had supported Lord Pigot, and also of those who had opposed him. These resolutions were carried, on the ballot, by 414 against 317. On the 21st of May, the case of Lord Pigot was brought before the House of Commons, and a series of resolutions favourable to him proposed. They were opposed by the ministry, and lost.* The Court of Directors, on the 30th of July, passed resolutions designed to give effect to the recommendation of the general court; but before the question was decided, the party principally interested was beyond the reach of either additional injury or tardy redress. Two years afterwards the House of Commons addressed

A. D. 1777.

* Lord North did not fail to make use of the argument which Lord Pigot had been so unwise as to furnish against himself, by the receipt of presents.

his Majesty, praying that the attorney-general might be ordered to prosecute Mr. Stratton (then a member of the House), and three other members of the council of Madras, who had concurred in the arrest of Lord Pigot. A prosecution was accordingly instituted, and the parties were convicted. With reference to the enormity of the offence, the judgment of the court was singularly lenient; the defendants, all of them men of great wealth, were sentenced to pay a fine of one thousand pounds each. CHAP. XI.

When the Court of Directors determined to recal Lord Pigot and his council, provision was made for the appointment of what was called a temporary government, to act pending the proposed inquiry. It consisted of six members, and Mr. Thomas Rumbold, a director, was to be president and governor. The English had for some time been engaged in hostilities with their colonies in America. The French monarch made common cause with the revolted colonists, and war between England and France ensued. Its operations were extended to India with extraordinary promptitude and vigour; and most of the minor French settlements having been previously secured, General Munro, early in August, 1778, advanced with a considerable force against Pondicherry. The attack was to be aided by a small fleet under Sir Edward Vernon, consisting of one ship of sixty guns, one of twenty-eight, one of twenty, a sloop, and a Company's ship. He was opposed by a French squadron under Monsieur Tronjolly, whom he brought to A. D. 1778.

CHAP. XI. A. D. 1778.

action on the 10th of August, and, after a conflict of some duration, put to flight. It was expected by the English that the fight would be renewed on the following day, but the French commander, who had taken refuge in Pondicherry, entertained no such intention; and after eluding for several days the attempts of Sir Edward Vernon to bring him again to action, he followed the example of some of his predecessors under similar circumstances, by escaping from the coast with his ships, and abandoning Pondicherry to its fate. In the meantime General Munro had taken possession of the bound hedge, and cut off all communications with the surrounding country. On the 6th of September he broke ground, and on the 18th opened a vigorous fire from twenty-eight pieces of heavy artillery and twenty-seven mortars. The garrison, under M. Bellecombe, made a gallant defence, and their efforts, aided by the state of the weather, considerably retarded the progress of the assailants; but point after point was lost, and the English commander, having surmounted many of the difficulties with which he had to contend, determined on a general assault. This was prevented by a proposal to capitulate on terms made on the day preceding that destined for the attack. The proposal was accepted, and Pondicherry thus passed once more into the possession of the English. The terms granted were extremely favourable to the besieged. The European part of the garrison was to be sent to France, and the sepoys to be disbanded. The whole were permitted to march out

with the honours of war, and the regiment of Pondicherry was allowed to retain its colours.

An expedition dispatched under Colonel Braithwaite against Mahé, on the coast of Malabar, was not less successful than that against Pondicherry, and the conquest was far more easily attained. Mahé surrendered before a gun was fired against it. But Colonel Braithwaite, being ordered to join General Goddard, the place was, after a few months' possession, abandoned; the guns were shipped off to Bombay, and the fort blown up.

Hyder Ali had formally protested against any attack upon Mahé, and its capture was consequently very offensive to him. This was not the only cause of dissatisfaction afforded by the English. The attempt of a British force to pass through part of his territories tended to increase his displeasure. The circumstances which led to this attempt require to be briefly narrated.

In the arrangement made with Nizam Ali for the transfer to the English of the Northern Circars,* it was provided that one of them, named Guntoor, should remain in possession of the Nizam's brother, Basalat Jung, during his life. Basalat Jung subsequently gave uneasiness to the Madras government by receiving a body of French troops, and a reference was made to Bengal for instructions on the subject. The answer authorized the Madras government to demand the dismission of the French troops, and to prepare to support the demand by the

* See Vol. i. page 544.

CHAP. XI. presence of an armed force on the frontier of Basalat Jung's territory. If compliance with the demand were refused, that prince was to be informed that possession would forthwith be taken of Guntoor, and a negotiation opened with the Nizam for its immediate cession to the Company upon such terms as might be agreed upon. The government of Madras hesitated, and, after some consideration, determined, instead of applying to Basalat Jung, to address the Nizam, calling upon him to compel his brother either to dismiss the French from his service, and trust for the protection of his country to the English, to whom the reversion belonged, or to allow them to occupy the circar at an annual rent. The determination to negotiate with the Nizam appears to have been taken on the ground that Basalat Jung was no party to the treaty; but before carrying it into effect, it was thought proper to communicate the intention of government to the Nabob of Arcot. Mahomet Ali strongly objected to negotiating with the Nizam, and proposed to send a vakeel from himself to manage the business with Basalat Jung. The government of Madras, however, persevered in applying to the Nizam, and his answer was most courteous. He alleged that the force entertained by his brother was not exclusively French, though a Frenchman might have the command, but contained Germans, Dutch, English, and Portuguese, who had deserted from various places. He assigned as reasons for employing them, that the dependents of Basalat Jung were disobedient and

powerful, and that his country was bordered by the territories of Hyder Ali Khan; but he added, that as the retention of these foreigners in the district of Guntoor seemed to give uneasiness to his British ally, he had sent a person of distinction to get them removed, and to stop the revenue appropriated to their support. "Every article and condition of the treaty between us," said the gracious prince, "shall remain fixed and unaltered, even in a hair's breadth." This letter was received soon after Lord Pigot's second assumption of the government. CHAP. XI.

The diplomacy of the "person of distinction," if such person were sent by the Nizam to his brother, produced no satisfactory results; for nearly three years after the period of the Nizam's communication, Mr. Rumbold, who then held the office of governor, complained that French troops were still entertained in Guntoor, and that they were recruited under the protection of the governor of Pondicherry.* The commencement of the war between England and France naturally quickened the observation of the Madras government, which, till a very short time before, had been so distracted by disunion as to leave its members no time to spare from the care of their personal interests for those of the public. About this time, too, Basalat Jung felt, or affected, some alarm at the strength of the French party.† A. D. 1778.

* Governor's Minute, Fort St. George Military Consultations, 10th July, 1778.

† "Basalat Jung has expressed himself uneasy at the consequence it [the French party] has assumed, which is even become

CHAP. XI. Both parties were thus prepared to negotiate, and a treaty was concluded, by which the Company were to rent Guntoor of Basalat Jung during his life, for the sum which he had previously realized from it, to be ascertained from his accounts. He on his part was to dismiss his French troops, and the Company were to assist him with such a force as might be necessary for the purposes of defence, revenue, or dignity, the charges to be defrayed by Basalat Jung. Soon after the conclusion of this treaty, fears were entertained that Hyder Ali, who had made some conquests in the vicinity, was about to add to them the territories of Basalat Jung, and the English government, in consequence, resolved to send three battalions of sepoys, a company of artillery, and some field-pieces, for their protection. This force was placed under the command of Lieutenant-Colonel Harpur, and was to proceed from Guntoor to Adoni, the capital of Basalat Jung's other dominions in the Deccan. Basalat Jung expressed great joy at its approach, and took the pains of pointing out a particular route as the most eligible. This route Colonel Harpur subsequently discovered led him several days' march through the territories of Hyder Ali, and the servants of that potentate forbade his advance. One of them, in answer to an application from the English commander, wrote—

dangerous to himself. We hope and expect, from his assurance, that he will unite with us as far as he can in subduing it."—Letter from Government of Fort St. George to Court of Directors, 17th October, 1778.

"I have received your letter, in which you acquaint me, that as a sincere friendship exists between the Nabob Hyder Ali Khan and the Company, you propose marching the troops under your command to Adoni through Durnall and Atcour, which I understand. It is as manifest as the sun, that a sincere friendship exists between his Excellency and the Company, and that they have no separate interests; it is, therefore, my duty to pay a regard to the friendship they have for him: yet you will march your troops by another road, that this friendship may be preserved; for there are sepoys stationed in that country, and some disputes and quarrels may take place between your men and these sepoys, who are of a very quarrelsome disposition. I have so much regard for our friendship, that I would not wish this to happen."* Another of Hyder Ali's officers informed Colonel Harpur that their master had given express orders that the English force was not to march through his dominions. Notwithstanding these intimations, Colonel Harpur was instructed by his government to advance, and he continued to do so till his detachment was in danger of being surrounded, when he retired within the circar of Guntoor.

While these affairs were in progress, the government of Madras had been maintaining a mission at the court of the Nizam, under the management of

* Letter from Meer Reza Ali Khan Bahardur to Colonel Harpur, in Appendix No. 88 to Second Report of Committee of Secrecy, 1781.

CHAP. XI. Mr. Hollond, a civil servant of that presidency. One of the objects of this mission was to ascertain the precise views of the Nizam with regard to the distracted politics of India; another, to endeavour to remove unfavourable impressions as to the conduct of the British government in supporting Rugonath Row, to whom the Nizam was violently opposed. In subordination to these primary purposes, he was to give such explanations as might be necessary in relation to the negotiation with Basalat Jung, and the occupation, by the English, of Guntoor. He was also to explain the cause of an act which had taken place of a nature likely to be very offensive to the Nizam—the withholding of the peishcush, or tribute, due from the Company to the Nizam on account of the northern circars. This was to be ascribed to the encouragement given by Basalat Jung to the French, and the Nizam was to be assured of punctual payment for the future. Such were the instructions issued to
A.D. 1779. the English agent on the 22nd of February, 1779.* On the 5th of June following, the governor of Madras recorded a minute, in which he declared that he "had always considered the peishcush paid by the Company to the Nizam as disgraceful to them, and an acknowledgment which" that prince "had no right to demand. The grant from the Mogul," continued the governor, "was free and unconditional for the five circars, and the receiving them afterwards as a grant from the soubahdar Nizam Ali Khan, on paying him an annual peishcush, was a sacrifice of the

* See Second Report, ut supra.

Company's rights."* The governor's view of the subject was supported by reason, but his practical application of it can only be characterized as dishonest and disgraceful. "The time," said he, "seems favourable to throw off so heavy a burden," and accordingly he proposed that it should be thrown off, altogether, if possible; but if this could not be effected, a strenuous effort was to be made to reduce the amount. The governor's colleagues entirely approved of the recommendation of their chief, and Mr. Hollond was instructed accordingly. The governor had observed that the opening of the business to the Nizam would require much management on the part of Mr. Hollond, "who must," said he, "by turns soothe and work upon his apprehensions as occasion may require."† The agent did as he was required; but Nizam Ali was neither to be soothed nor alarmed into the surrender of his peishcush. He declared that, if denied, he should forthwith prepare for war; and, in desiring that Mr. Hollond would immediately report at Madras the result of the application, he observed that, if there were any delay in forwarding an answer from the English government, he might possibly advance upon Colonel Harpur.‡ The Nizam had previously expressed great dissatisfaction with the negotiations entered into between the British government and

* See Second Report, ut supra. † Ibid.

‡ Letter from Mr. Hollond to Governor and Select Committee of Fort St. George, 26th June, 1779. Appendix No. 119 to Second Report.

CHAP. XI. Basalat Jung, and however soothing the mode of advance, the demand for the surrender of the peishcush was not calculated to restore the prince's equanimity, or to dispose him to regard the other acts of the English government with favour. That such a course should have been taken at a time when the Company's affairs in India were surrounded by difficulties—that it should have been adopted for the avowed purpose of escaping some of those difficulties, for this was the pretence of the governor of Madras, are facts scarcely credible. The folly of such policy is not less apparent than its dishonesty. It threw among the raging elements of discord a new one, more active than the rest. The northern circars, indeed, seem to have been rocks on which the common sense of the statesmen of Madras was destined to be wrecked. One set of rulers, with an enemy at their feet, had voluntarily and without necessity agreed to render him tribute for these districts; their successors, as shamelessly as imprudently, proposed to annul the contract, and thus gave offence to a powerful prince at a time when, through the wide expanse of India, the British government was almost without a friend.

On these proceedings of the Madras government becoming known at Calcutta, the government of Bengal deemed it necessary to exercise their controlling authority. A letter was addressed by the latter government to the Nizam, lamenting that "the negotiation had been imperceptibly carried beyond the limits originally pre-

scribed to it," and that some propositions had been made to his "highness which he had received as demands, and misconstrued them into an intention to depart from the treaty subsisting between" him "and the Company."* These suspicions it was sought to remove by an assurance that the government of Madras had never entertained such an intention; and that, as a proof of the friendly feelings of the supreme government, Mr. Hollond had been directed to suspend the business of his commission till he should receive from that government further instructions. These acts of the government of Bengal were communicated to that of Madras, where they excited the strongest feelings of indignation. They determined to recal Mr. Hollond from the court of the Nizam. This was proposed by Sir Thomas Rumbold.† That governor soon after-

* See Appendix No. 124 to the Second Report, ut supra.

† The governor had now become a baronet. As no more convenient opportunity may occur of noticing the facts, it may be as well here to state that Sir Thomas Rumbold returned to England with an immense fortune and a tainted character. His subsequent history forms no part of that of India, but it was too remarkable to be altogether passed over. It was asserted, and generally believed, that a portion at least of his vast wealth had been accumulated by corruption. Little interest would now be felt in an investigation of the evidence, and little satisfaction could be attained. It may be sufficient to observe that several of the acts of Sir Thomas Rumbold were severely condemned by the Court of Directors, and in so serious a light were the offences regarded, that he, together with his successor, Mr. John Whitehill, and Mr. Peter Perring, member of council, were dismissed the service. At the same time two other civil servants were incapacitated from sitting in council, without express orders, and the conduct of General Munro on certain points was declared

CHAP. XI. wards quitted India, leaving behind him a minute, recommending that the recal of Mr. Hollond should be followed up by his suspension from the service. The recommendation was adopted by the new president, Mr. Whitehill, and carried into effect. Mr. Hollond, however, did not quit the court of the Nizam, being retained there by the government of Bengal as their representative.

In the meantime Basalat Jung, intimidated by

to deserve the strongest marks of the court's displeasure. The language of the despatch in which these resolutions are conveyed is remarkable. After censuring General Munro, the court continues: "But as those subjects were foreign to the general's military profession, *as we cannot suppose he was influenced by corrupt motives*, and as the military conduct of General Munro has been highly meritorious, we shall not, on the present occasion, proceed further than to express our disapprobation of his conduct on the occasions before mentioned."—Letter to Government of Fort St. George, 10th January, 1781. The special exemption of General Munro from the suspicion of corrupt motives appears to imply that those less leniently visited were not, in the judgment of the court, free from corruption. With regard to Sir Thomas Rumbold, some very strange facts connected with an agent of the governor's, named Redhead, were elicited by the inquiries of the secret committee of the House of Commons, and recorded in their Second and Third Reports, 1781. The celebrated Henry Dundas, afterwards Viscount Melville, took the lead in these inquiries, and Sir Thomas Rumbold, together with Mr. Whitehill and Mr. Perring, were threatened with penal proceedings. The matter was, however, suddenly and unaccountably dropped, and the ex-governor of Madras, branded by the heaviest punishment which his employers could inflict, scathed by the withering exposures of a parliamentary committee, and surrounded by the expressions of public indignation, was permitted to enjoy his wealth, whether well or ill acquired, in peace. A minute examination of the conflict of party and personal interests at the time might throw much light on these proceedings, but this is not the place for such examination.

Hyder Ali and the Nizam, had stopped the march of Colonel Harpur, for whose advance he had previously been so anxious, and demanded the restoration of Guntoor. The government of Madras refused to comply with the demand; but on this subject, as well as on that of the peishcush, the government of Bengal took a different view, directing that the treaty with Basalat Jung should be annulled and Guntoor restored.

These orders found the government of Madras surrounded by difficulty and dismay. Sir Thomas Rumbold had quitted India, assuring the Court of Directors "that every thing was quiet in the Carnatic;"* "that he was inclined to think they should remain in peace;"† and that "he could speak with confidence, that there was no likelihood, at that time, of any troubles on that side of India."‡ Long before the date of these soothing assurances, both the language and the acts of Hyder Ali had manifested his hostile intentions towards the English. The governor himself had felt anxiety; he had dispatched a special messenger§ to ascertain the feelings of Hyder Ali, and the result had not left them doubtful. Another mission followed, and this was treated with contempt and contumely. Yet Sir Thomas Rumbold, in the last minute which he ever recorded, congratulated himself that all was tranquil, and that no disturbance of the calm was to be

* Letter, 21st January, 1780. † Ibid.

‡ Letter, 7th February, 1780.

§ The distinguished missionary, Swartz.

CHAP. XI. apprehended. Thus, by his last act of authority, giving countenance to a delusion which he could not believe, the governor divested himself of the cares and responsibilities of rule, and bent his course homeward in search of ease and enjoyment. His successor Mr. Whitehill slumbered on, luxuriating in those dreams of peace and safety which the retired governor had shadowed forth. They were sometimes invaded by reports of the gathering of Hyder Ali's force, and of their approach to ravage and destroy; but the governor still slept. The Nabob of Arcot had intelligence of what was approaching, and communicated it to the British government, but without effect. Time flowed on, and the sources of alarm multiplied. From every quarter, reports of threatened invasion and complaints of inefficient means of defence rushed in; but no measures of precaution were taken. Some of the colleagues of the governor would occasionally suggest the necessity for a more active course; but the torpor of their chief
A.D. 1780. was not to be overcome. At last, in the middle of June, some symptoms of reviving sensation, feeble as they were tardy, began to appear, and the governor coolly informed the select committee, that, as there were various reports concerning Hyder Ali's movements and intentions, he thought it a proper measure, in case of any disputes in the Carnatic, that the detachment sent with a view to the protection of Basalat Jung, formerly commanded by Colonel Harpur, then by Colonel Baillie, should recross the Kistna.

More than a month passed, and Lord Macleod, who commanded a king's regiment, deemed it his duty to represent to the governor that the report of Hyder Ali's invasion might be true, and that, at all events, some measures ought to be taken to oppose him. Mr. Whitehill, with philosophic calmness, replied, "What can we do? we have no money;" but, to console the impatient soldier, he added, "we mean, however, to assemble an army, and you are to command it." The design of assembling an army without money seems on a level, in point of rationality, with the postponement of such a measure till the enemy was almost at the gates of the British presidency. On the evening on which this conversation was held, intelligence arrived which deprived the governor of the power of speaking hypothetically of the existence of "despoilers" in the Carnatic. It was ascertained that Porto Novo, on the coast, and Conjeveram, not fifty miles from Madras, had been plundered by the enemy. Hyder Ali commenced his irruption with all those circumstances of horror with which his appearance as an enemy was invariably attended. Around every place which he destined to fall before him he drew a circle, within which all was consigned to desolation. The towns and villages were soon wrapt in flames, and the inhabitants peremptorily required to depart with their flocks and herds. If by the influence of local attachments, so powerful in the breast of the natives of India, any houseless wanderer presumed to linger near the spot where recently he had a home, and

CHAP. XI. where his fathers had resided from a period anterior to all record, his disobedience was punished by the mutilation of his person.

By the government of Madras some feeble efforts were made to procure money, to secure the possession of important forts, and to combine an army too much scattered to act effectually. But weakness, or something worse, continued to paralyze their measures. It was determined that the commander-in-chief, Sir Hector Munro, a general who had gained some fame in India, should not quit the presidency. The command was to be entrusted to Lord Macleod, who appears to have been an intelligent and meritorious officer, while Sir Hector Munro was to remain at Madras, to secure to the select committee the benefit of his military judgment. It was the opinion of the commander-in-chief that the army should assemble near Conjeveram. Lord Macleod, admitting that this might have been a proper arrangement before the invasion took place, maintained that, for various military reasons, it was then inexpedient, and shrunk from the responsibility of executing plans widely at variance with his own judgment. Sir Hector Munro, thereupon, consented to take the field. He arrived at Conjeveram on the
A. D. 1780. 29th of August, and took the command of a force about five thousand strong. The detachment in Guntoor, under Colonel Baillie, was to join him there. To frustrate this junction, Hyder Ali dispatched a force under his son Tippoo, and he soon afterwards broke up his camp before Arcot, which

place he had previously invested, and posted his own force about six miles to the westward of that of Sir Hector Munro. On the day on which Hyder Ali took this position, the force under Tippoo Sultan attacked Colonel Baillie, though without success. But the enemy continued to harass him; and Colonel Baillie informed Sir Hector Munro that he doubted of his being able to effect a junction. To aid in removing the difficulties in the way of this object, Sir Hector Munro, on the night of the 8th of September, dispatched, under the command of Colonel Fletcher, a detachment amounting to one thousand men, and forming the flower of the army. This measure has been severely condemned by military authorities, as imprudently weakening the main army, and exposing the most valuable part of it to be cut off in detail.* That such a result did not follow will excite astonishment, when it is known that the intelligence department of Hyder Ali's army was so perfect, that he was informed of every particular connected with the movements of the British force; while all those on whom the English relied for information were in the pay of their enemy. Nearly every thing connected with the march of the English detachment was as well known to Hyder Ali as to those by whom it was planned, and the watchful ruler of Mysore prepared to intercept it. The sagacity of Colonel Fletcher disappointed the expectant chief of his prey, and ensured the safety of the detached party. Suspecting, with

CHAP. XI.

A.D. 1780.

* Especially by Colonel Wilks.

CHAP. XI. good reason, the integrity of his guides, he suddenly changed his route, and escaped the fate which had been prepared for him. Early on the morning
A. D. 1780. of the 9th of September he joined Colonel Baillie, thus giving to the troops under the command of the latter officer an increase of confidence, of which they stood greatly in need.

Hyder Ali was not less astonished than displeased at the successful passage of Colonel Fletcher. It still more confounded the officers of the French party, which had been dismissed by Basalat Jung, and who, after sojourning for a time with the Nizam, were now in the service of Hyder Ali. By them the movement of Colonel Fletcher was regarded as part of a series intended to bring Hyder Ali's army between those of Sir Hector Munro and Colonel Baillie, and they advised immediate retirement. Hyder Ali took a different and more correct view, and determined to maintain his ground.

In the evening the force under Colonel Baillie began to march. Hyder Ali had prepared for this step. He had sent off the greater part of his infantry and guns, remaining himself with his cavalry, ready either to protect his camp, or to aid any attack that might be made upon Colonel Baillie. Very soon after the British force was in motion it was challenged by the enemy's videttes, and the challenge being answered by a platoon from the advanced guard, its march became known to the enemy. For several miles its progress was interrupted only by rockets and a few irregular troops,

but the flanking parties prevented much mischief arising from these attacks. At length a heavy body of horse was observed approaching in the direction in which the baggage was placed, and some guns, which they had covered, opened. A halt took place, for the purpose of making a better disposition for the security of the baggage, and a party was dispatched to seize the guns; its progress was intercepted by a deep trench, which had been cut with a view to the irrigation of the land, but which now formed a defence to the enemy's troops and guns. The latter were, however, silenced by the superior execution of the English artillery; and all reason for delay being at an end, every thing was prepared to continue the march. Colonel Baillie, however, determined to prolong the halt. The reason of this has never been explained, and it has generally been regarded as the master error of the day. Had he continued his march, there seems little doubt that he would either have actually joined Sir Hector Munro, or at least have advanced so near to him, as to have ensured all the advantages expected from the junction. The delay enabled the enemy's cannon to be withdrawn to a point where they could again be employed in embarrassing the English force; it allowed time to Hyder Ali to become apprized of their situation, and to take his measures accordingly.*

* In a work entitled, "Memoirs of the War in Asia," it is stated that Colonel Fletcher, being asked by some officers why Colonel Baillie halted, answered that Colonel Baillie was an officer

CHAP. XI. Soon after the march recommenced the enemy opened a fire from a few guns at a considerable distance. The British commander again halted, and dispatched a body of sepoy grenadiers to attack the guns. They gained possession of some of them, and put to flight the party by whom they were defended, when the cavalry of Hyder Ali appeared in sight, covering the plain like a cloud, and threatened to cut off the return of the British party, which thereupon retired. Hyder Ali had left his camp without striking his tents. The movement of his cavalry was only designed to mask the advance of his infantry and artillery, and Colonel Baillie found himself exposed to an attack from the whole force of the enemy. More than fifty pieces of cannon opened on the British corps, while cavalry and infantry almost innumerable pressed it on every side. Ten British field-pieces indeed returned the more numerous fire of the enemy with powerful effect while ammunition lasted; but this at last failed—a result accelerated by the explosion of two tumbrils which were exposed to the enemy's shot. Repeated charges of the enemy were met and sustained with a steadiness highly creditable to the troops, and the Euro-

of established reputation, and that he had no doubt reasons for his conduct. What those reasons could be it is difficult to conceive. Colonel Wilks appears to lend his authority to the conjecture that Colonel Baillie was influenced by "the expected distinction of exhibiting in the morning the junction of his corps without the loss of any of its equipments, a credit of which he might be deprived by errors inseparable from the obscurity of the night."

peans cried out to be led on. To the last these gallant men maintained their order. The sepoys gradually fell into confusion, some preparing for flight, others keeping up a desultory fire, without object or effect. All being lost, Colonel Baillie went forward waving his handkerchief as a demand for quarter, and supposing his request complied with, he ordered his troops to lay down their arms; but the savage host arrayed against them continued long afterwards to slaughter their now unresisting foes. Colonel Wilks says, "Hyder's young soldiers, in particular, amused themselves with fleshing their swords and exhibiting their skill on men already most inhumanly mangled, on the sick and wounded in the doolies, and even on women and children, and the lower order of horsemen plundered their victims of the last remnant of clothing." CHAP. XI.

Nothing remained to relieve the gloom of this ill-fated day but the recollection of the gallant conduct of the defeated corps, and more especially of the European part of it. Colonel Baillie displayed few of the qualifications of a commander except courage; but in this he was not deficient. Eighty-six British officers were engaged in the conflict; of these, thirty-six lay dead on the field at its termination, or subsequently died of the wounds which they received; thirty-four more were wounded, but not mortally, and sixteen only surrendered unwounded. Among the killed was the gallant Colonel Fletcher.

The worst was yet to come. The soldier knows

CHAP. XI. that his profession calls him to privation, fatigue, danger, suffering, and possibly to death. In camp and field he looks on these as ordinary contingencies; but when the deadly strife has ended, and the sword of the conquered has been lowered in submission to the victor, the usages of all civilized countries entitle him to expect that the offices of humanity will be interposed to alleviate the sorrows of his situation, and, as far as practicable, to render even captivity tolerable. With the usages of civilized nations Hyder Ali was little acquainted, and he was uninfluenced by that natural generosity which has sometimes thrown a lustre over barbaric conquest more brilliant than the conquest itself. Seated in his tent, the ruffian conqueror regaled his eyes by having his prisoners paraded before him, while from time to time the heads of the slain were deposited at his feet. The sequel was worthy of the commencement; every indignity that malice could devise, every privation that cruelty could inflict, awaited the unhappy Europeans, who were destined for years to remain the prisoners of Hyder Ali.

The memory of these atrocities is preserved in the personal narratives of some of the sufferers; and the general character of the treatment sustained by the English prisoners will be shewn by a brief extract from one of these, written by Lieutenant Melvill, a king's officer,* whose left arm was

* At a later period of his life, Lieutenant-governor of Pendennis Castle, Cornwall, where his amiable and benevolent character is not yet forgotten.

shattered during the engagement, and the muscles of his right severed by a sabre cut after the surrender. After lying many hours on the field, exposed to all the suffering inseparable from such a situation, he was carried to the camp of the conqueror, where the wounded were crowded together in one tent, without succour and without hope. From thence, with his companions, he was marched forth to Arnee, and afterwards to Bangalore. "We had looked forward," says Lieutenant Melvill, "to the close of our long and painful journey, with the cheering expectation that it would cause some mitigation of our woes. But great was our disappointment, or rather our horror, on entering a wretched shed, pervious to wind and weather, the destined place of our captivity, and on beholding the miserable objects by whom it was already tenanted—our brother-officers in chains, whose meagre countenances and squalid forms revealed at once the secrets of the prison-house, and disclosed the welcome provided for its new inhabitants. Our misery, indeed, exceeded theirs, in proportion as our bodily pains were greater, and our wants more numerous. The party of British whom we now joined in the prison of Bangalore had been taken either unwounded, or so slightly hurt, as to be capable of bearing a speedy removal into Hyder's territory. The wounds we had suffered were more severe, and required surgical aid. Some were maimed and helpless. All medicine was denied, and it was very difficult to procure it clandestinely, under the strict prohibitions of introduc-

CHAP. XI.

ing it which prevailed, and the danger of punishment if detected; and while our bodies were racked with pain, and enfeebled with sickness, our minds became a prey to gloom and despondency. If, in consequence of any favourable rumour, as of peace, or the success of our arms, a ray of hope entered our dismal abode, it was soon dispelled by reports of a contrary nature; and thus conspired with every thing else to confirm and aggravate our despair. We were sometimes visited as objects of curiosity by men of rank; but the contempt and abhorrence with which, in general, they regarded us, were exceedingly mortifying, and hurt us more than the ignominy of our chains. Our unfeeling guards, in imitation of their superiors, and to gratify the same malignant passions which influenced them, insulted and tyrannized over us with a brutality suitable to their low birth and condition. Applications for redress were heard at best with contemptuous indifference; and we were often told, in plain terms, that it was not intended we should survive our imprisonment, unless we complied with the infamous requisition of bearing arms against our country. Those who know from experience the high feelings of a British officer, accustomed to command the sons of liberty, may judge of the bitterness of our degraded, abject state, when, even within the narrow bounds of our prison, we were controlled, threatened, and sometimes struck, by the lowest menial who guarded us. Like slaves, or rather felons, we were mustered and examined twice

a day; and the severest and most ignominious scrutiny of our persons followed a suspicion that we corresponded with our friends confined in other prisons, or that we received supplies of money or of necessaries from any quarter. Upon these occasions, we were conducted separately into places apart from the prison, and searched by the principal officers of the fort. This separation from each other was needlessly prolonged, and never failed to excite in our minds the most lively apprehensions that we were selected to fall by poison or the sword, like many of our unhappy brethren, who had been removed from one prison to another for that execrable purpose. The tyrants who guarded us were apprized of our fears, and calculated their measures so as to increase them. The slightest advantage gained by their troops was magnified to a decisive victory, and announced to our trembling ears by the fire of the artillery planted round our prison; each flash, each report of which struck horror to our hearts and affected us like the knell of a dear departed relative or bosom friend. We were often told, and through other channels we knew it to be the fact, that actual force had been used on the persons of many of our countrymen in other prisons, with the expectation that when they bore the indelible mark of Mahometanism they would apostatize from God, and abjure their earthly sovereign. The same abhorred expedient recurred to our minds as intended for us whenever a stranger of rank visited the prison, especially if he seemed to

CHAP. XI.

cast a scrutinizing eye on our persons. In such a state of complicated mental distress nearly four years of the prime of life were consumed; and during this sad period our corporeal sufferings were not inferior in their degree to those of our minds. Our couch was the ground, spread with a scanty allowance of straw; the same wretched covering which shielded our limbs from nakedness by day served to enwrap them also by night. The sweepings of the granary were given us in any dirty utensil or broken earthen pot. Swarms of odious and tormenting vermin bred in our wounds, and every abomination to the sight and smell accumulated around us, till its continuance became intolerable to our guards." Such was the treatment of the prisoners of Hyder Ali, as attested by a witness of unquestionable veracity and honour, himself one of the sufferers. If the extension of British influence in India had no other effect than to put an end to horrors like these, who would be found to regret it? It is a gratifying fact that the French officers retained by Hyder Ali had not forgotten, in his service, the courtesies of civilized warfare. They did much to mitigate the sufferings of the wounded prisoners, and would have done more had they not been restrained by the tyrant whom they served. "No pen," says another of Hyder Ali's victims, "can do justice to the humanity of those officers, without whose assistance many of our officers must have perished; but their merit will for ever be embalmed in the hearts

and minds of all who felt or who witnessed their beneficence."*

It is natural to ask, where was Sir Hector Munro while the destruction of Colonel Baillie's force was in progress? On the day on which it took place, discovering that Hyder Ali had departed, he marched about four miles, fired three signal guns, and observing the smoke from the action on his left, marched about a mile and a half further in that direction, repeated his signals, but had no return. He then observed an increased smoke, occasioned by the explosion of the tumbrils, and suddenly, he says, the firing ceased.† He continued his march to the right in expectation of meeting Colonel Baillie, "not doubting," he observes with great *naïveté*, "but that he had repulsed the enemy." After marching about two miles, his confidence was somewhat shaken by meeting with a wounded sepoy, who reported that Colonel Baillie was entirely defeated. He consoled himself, indeed, by determining that this information was not to be depended upon; yet the non-appearance of the detachment, and the cessation of the firing, he admits, gave too much reason to suspect some disaster. He accordingly returned to Conjeveram, where the appearance and reports of other wounded stragglers confirmed the news of Colonel Baillie's defeat. Still the general could not bring himself to believe it. His incredulity was all

* Memoirs of the late War in Asia, vol. ii. page 7.

† Letter from Sir Hector Munro to Select Committee. 21st September, 1780.

CHAP. XI.

but invincible. "The reports of the sepoys," says he, "differed so much as to particulars, that no credit could be given them."

Another question arising out of the extraordinary nature of these transactions is, why did Sir Hector Munro defer moving to the support of Colonel Baillie till it was too late? His own explanation is, that when he first learned that Colonel Baillie was in danger, his only resource for provisions was a stock of paddy collected in the pagoda of Conjeveram; that if he had then moved, Hyder Ali would have occupied his ground, and cut him off from all provisions, whereby his army would have been starved. He returned to Conjeveram, after his tardy and fruitless march in search of Colonel Baillie, and then learned, apparently for the first time, that the stock of provisions, for the protection of which he had left Colonel Baillie's detachment to its fate, was barely sufficient for one day's consumption; that he had not therefore by the sacrifice of so large a portion of his army secured the means of feeding the rest, and that, if he remained where he was, he should be surrounded by Hyder Ali's cavalry. He therefore resolved to proceed to Chingleput, where he hoped to find supplies; but on reaching it, after a harassing march, attended by the loss of a large portion of his stores and baggage, he was destined to the disappointment of learning that here too, as at Conjeveram, one day's consumption was all that could be procured. At Chingleput he was joined by a considerable detachment from the westward, under Captain

Cosby; but increase of numbers, where there was before a deficiency of food, was but an increase of weakness, and Sir Hector Munro was compelled to make a forced march to St. Thomas's Mount, only a few miles from Madras, where he arrived on the 14th of September. On the 15th, the English army removed to a more secure position at Marmalong, with a river covering its front. Sir Hector Munro had quitted the presidency on the 25th of August —twenty days only had passed before his return to St. Thomas's Mount; but within that brief space, how much of misconduct and of suffering, of disaster and disgrace, had been crowded! CHAP. XI. A. D. 1780.

At Madras, fear, indignation, and sorrow, pervaded the minds of the inhabitants. Some sought opportunity of returning to England, others prepared for flight to Bengal. All joined in lamenting the brave men whose lives had been so uselessly sacrificed and whose departing spirits were ungladdened by the reflection that the pouring out of their blood was the purchase of victory to their country. All joined in bitter condemnation of the counsel which had led to such fatal results. The authorities of the presidency were in a state of inexpressible alarm, and a fast-sailing vessel was despatched to bear to Bengal the intelligence of their mismanagement and its consequences. The danger of the Carnatic was previously known at Calcutta, but the governor-general and council had waited for further information before interposing in any way in regard to it. When the fatal news of the destruction of Colonel

CHAP. XI.

Baillie's force and the retirement of Sir Hector Munro arrived, they were not without abundant employment for their time and resources. The Mahratta war was raging, and the proceedings of the Rajah of Berar were of a very equivocal character. He had sent an army into Cuttack ostensibly for the purpose of invading Bengal. It was pretended that this step had been taken solely for the purpose of maintaining appearances with the Nizam and the authorities at Poona, and the governor-general, in consequence, had been induced to supply this force both with provisions and money. Still there was abundant ground for distrust, and, under circumstances of less alarm, the presidency of Madras would probably have been left to its own resources. But the emergency was great, and was so felt at Calcutta. It was resolved, therefore, to assist Madras with the immediate advance of fifteen lacs of rupees, and with reinforcements of troops, both European and sepoy, as soon as possible. Sir Eyre Coote was also invited to proceed to Madras to take the command of the army, and he forthwith departed for that purpose. These measures were accompanied by another, which only very extraordinary circumstances could justify. The governor-general and council determined to suspend Mr. Whitehill from the office of governor of Madras, on the grounds of disobedience to the superior government in various matters connected with the negotiations with Basalat Jung, and more especially in the non-restoration of the Guntoor circar, in com-

pliance with the orders of the governor-general and council. The restoration had been delayed on various grounds, but more especially because a lease of the circar for a term of years had been granted to the Nabob of Arcot; but the circar had been relinquished before the resolution of suspending Mr. Whitehill was adopted by the governor-general and his council, though not sufficiently long for them to become aware of the fact. There had been, however, enough of delay to justify the expression of their displeasure; and had the governor of Bengal been more lenient, Mr. Whitehill's hold of the reins of power would not have been greatly lengthened. The date of his suspension by the governor-general and council preceded that of his dismission from the service by the Court of Directors by exactly three months.* His incompetency as a governor needs no proof, and charges far more serious than mere incompetency were freely made against him.† In truth, for several

* The former took place on the 10th October, 1780; the latter on the 10th January, 1781.

† Mr. Whitehill was accused of malversation at Masulipatam, where he had held office; he was included with Sir Thomas Rumbold and Mr. Perring in the threatened bill of pains and penalties; and his name is conspicuous in the memorable job known to the curious inquirers into the more discreditable portions of Indian history as "the Noozeed affair." A very short but very spirited pamphlet, under this title, was published in 1832, just after the sanction of the British legislature had been given to one of the most iniquitous bills ever passed. Mr. Whitehill, the Right Honourable John Sulivan, Mr. James Hodges, and others had, or professed to have, claims for large sums of money upon a native named Opparow, the zemindar of Noozeed. Mr. Hodges, it was alleged, ultimately took upon

CHAP. XI. years preceding this period, the most monstrous corruption appears to have existed at Madras, and

himself the debts, or a part of them, due (or represented as being due) to Mr. Whitehill and some of the other parties. It was said that he lent more money to the zemindar; and at the distance of more than half a century from the origin of these most suspicious and discreditable transactions, the representative of Mr. Hodges succeeded in obtaining from the British Parliament an act compelling the people of India to pay these alleged debts of a private individual, named Opparow. The measure was opposed in every stage by all the power of the East-India Company, but from some cause, not easy to explain, without effect. At the last stage of proceeding in the House of Lords, the Lord Chancellor (Lord Brougham) took an elaborate view of the entire circumstances of this case, on which the bill was founded, and concluded with earnestly advising their lordships to reject the bill. This advice was unheeded, and the royal approbation was unhappily secured for this flagrant violation of all sound and honest principles of legislation. It would be neither practicable nor proper to enter at any length into the transaction here; a few of its beauties are displayed in the following passages from the pamphlet above referred to.

"We are astonished that any committee of Parliament should have deemed it necessary to institute an inquiry, as to whether a public servant could be justified in transactions so obviously opposed to every principle of duty and propriety.

"Our astonishment is greatly increased at observing that the committee had before them distinct evidence of this striking, this appalling fact, that at the time when the bond from Opparow to Mr. Hodges bears date, Opparow was in prison, and Mr. Hodges was one of his gaolers!

"It is to enforce payment of that bond that Parliament has interfered; and this, too, with evidence before them, of charges preferred against Mr. Hodges by another zemindar in 1785, of extorting bonds from him!!"

Well might the Lord Chancellor declare the claim "tainted—contaminated in its origin." His lordship's observations on the delay which took place in pressing the claim till a convenient opportunity arose are well deserving notice:—

the entire time of the principal servants of the Company seems to have been employed in endeavouring

"In the year 1793, therefore, it appears Mr. Hodges and the Company were at issue, and he lived but a very short time afterwards, having died in the year 1794. It appears, from the evidence in this case, that Mrs. Hodges' attention was particularly directed to the subject of this claim; but from the year 1794, the year in which Mr. Hodges died, until the year 1801, nothing appears to have been done by her; for this period of seven years, which so elapsed, I presume she was advised to do nothing. At what particular period in 1801 Mrs. Hodges sent in her memorial, which contains a very particular and circumstantial detail of the whole of the transactions, does not appear, for I do not find that any date is attached to it."

Lord Ellenborough.—"The answer of the Court of Directors is dated the 26th of January, 1801."

The Lord Chancellor.—"Exactly so; and therefore I collect from that fact, that the memorial was presented in that month, or, at all events, but a short time before. Now, to this memorial the Court of Directors returned answer,—'That the Court having referred to their resolutions of the 2nd of May, 1792, and the 8th of May, 1793, wherein they declined any interference in the business, have resolved that the prayer of your memorial be not complied with.'

"Then, my lords, in the year 1803, comes the third link in the chain of circumstances connected with these transactions, at which period the permanent settlement was introduced, and the property attaching to the zemindary which had belonged to Opparow was restored to certain members of Opparow's family, the Company relinquishing any further claim in respect of that zemindary. With a full and perfect knowledge of all these facts, nothing whatever has been done from the period I have stated; and I therefore contend that the party now claiming has been guilty of the most inexcusable *laches;* that he has, in fact, been sleeping on his rights ever since the year 1803, when a final settlement of the transactions respecting this zemindary took place, and at which period the estates were restored to the representatives of Opparow. And here, my lords, rest the grounds upon which I

CHAP. XI. to turn the current of dishonourable gain into their own coffers. Clive, in Bengal, had acquired imperial wealth, but he had never sacrificed the interests of his country to its acquisition. Even among those who followed him there was found some decent attention to current business, and some regard to the preservation of the Company's authority and dominion. But at Madras, for some years, there is reason to believe that to earn the wages of corruption was the sole employment of many of the Company's servants, and that the pursuit of their private interests was never shackled or impeded for an instant by the slightest regard to those of the Company or their country. The intriguing Mahomet Ali impoverished himself by purchasing the services, or pretended services, of Europeans, and among the servants of the Company, as well as beyond their circle, he was so fortunate as to find many ready to accept with thanks his gold or his bonds. His army was ever inefficient and mutinous for want of pay, but his European parasites were rewarded with true princely munificence. Lord Pigot opposed himself to the torrent of corruption, and it swept away his power. The usurped authority before which he fell yielded to that of the councillors sent out from England, and some of the

say this bill cannot, ought not to pass; here I take my stand, and say—what was done after 1803? Why, my lords, nothing whatever was done by the parties for a period very little short of thirty years, the time at which the claim was received being about two years since."

members of the new government were, after no long period, ignominiously dismissed from the service of the Company for acts believed to have been corrupt. The moral atmosphere of Madras appears at this time to have been pestilential; corruption revelled unrestrained; and strong indeed must have been the power which could effectually repress it while Mahomet Ali had purposes to gain, and either money or promises to bestow. It is not wonderful that, where public spirit and public decency were alike extinct, the government should have been neither wise nor strong. It is a fact more calculated to excite surprise that it should have been able to maintain itself—that amid the storms which raged around it, every vestige of British dominion did not disappear from the coast of Coromandel. CHAP. XI.

After the defeat of Colonel Baillie, Hyder Ali had resumed the siege of Arcot. The fortifications of this place were good, but not perfect. Hyder Ali commenced a series of operations, and erected batteries under the management of his French officers. At the end of six weeks two practicable breaches were made, and on the 31st October the A. D. 1780. place was simultaneously assaulted by two columns; one under Hyder Ali's son, Tippoo Sultan—the other under an officer named Maher Mirza Khan. The former was repulsed; but the latter having succeeded in effecting an entrance, the column under Tippoo Sultan made a second attempt with better success. The garrison retired to the citadel, the spot where Clive laid the foundation of his

CHAP. XI.

imperishable fame. It was not, however, destined to sustain another fifty days' siege. The governor, a brahmin, had been taken prisoner in the assault; but instead of being subjected to the hardships and insults inflicted by Hyder Ali on his European prisoners, he was treated with extraordinary consideration, and declared to be invested with the same office under Hyder Ali which he had recently held under the Nabob of Arcot. The desired effect followed; the pliant brahmin readily renounced his allegiance to his former master, and entered cordially into the objects of his new one. By his influence over the native troops, forming the garrison, such a spirit was generated, as left to the officers who commanded them no choice but to surrender, and the possession of the citadel of Arcot thus crowned the capture of the town.

Two days after its surrender Sir Eyre Coote arrived at Madras. He took his seat in council, and the letter from Bengal announcing the suspension of Mr. Whitehill, as well as another entering into the reasons for that act, were read. Mr. Whitehill protested very vehemently against the exercise of the authority of the government of Bengal, and called upon his colleagues to support him, but with little effect. Sir Hector Munro proposed delay, and Mr. Davidson, another member of council, consoled his chief by declaring that he did not approve of his suspension, though he acknowledged the power of the supreme council, and voted accordingly. This was all the encouragement afforded to the un-

fortunate governor, and a majority of the council voted Mr. Smith, the next senior servant, acting president.

More than three months had elapsed since Hyder Ali entered the Carnatic, more than ten weeks since Sir Hector Munro left Madras to take the command of the army, and more than seven since his disastrous return to St. Thomas's Mount; yet, with an enemy so active and acute as Hyder Ali, almost at the gate of the presidency, no preparation had been made for its defence. Nothing had been done towards adding to the remnant of an army which was left for service; and the severe loss which had been sustained by the destruction of Colonel Baillie's corps was aggravated by daily desertions; the despondency and disaffection of the sepoys having been greatly increased by the fall of Arcot.* The field artillery was useless for want of carriages, the construction of which was only just commencing; while the supply of beasts of draught and burden was inadequate, and of the few which were ready for service, but a small portion were fit for it. Provisions were so scarce, that the troops in camp could with difficulty procure a supply from day to day; and Hyder Ali's cavalry prowled over the country within five miles of Madras. Application was made to the Nabob of Arcot; he answered that he had neither men, money, nor influence, but trusted to the Company for every thing. Sir Eyre Coote found, consequently,

* Sir Eyre Coote states that many of them were natives of that place, and had their wives, families, and relations in it.

CHAP. XI. that he had proceeded to Madras not merely to take the command of the army there, but also to make the requisite preparations to enable him to possess an army to command. Happily it was the rainy season, and this circumstance afforded a reasonable excuse for the troops remaining in their quarters. Time for preparation was thus afforded, without necessarily revealing how much it was needed.

The interval thus gained was well employed, as far as circumstances would admit, and on the 30th De-
A. D. 1780. cember, Sir Eyre Coote called a council of war, to deliberate on the plan of operations. It consisted, in addition to the commander-in-chief, of Sir Hector Munro, General Stuart, and Lord Macleod. The result of their deliberations was, an unanimous opinion that the army should march in relief of certain garrisons which were severely pressed by the enemy; and this object being accomplished, return to Madras. One of the garrisons proposed to be relieved, that at Amboor, surrendered before the English army was able to take the field, which
A. D. 1781. was not till the 17th January. On the 19th, Sir Eyre Coote succeeded in relieving Chingleput, in which only fifteen days' provisions remained. The fort of Carangoly, in the occupation of Hyder Ali, lay about thirteen miles to the south-west, and Sir Eyre Coote having been led to believe that the enemy were quitting it, and carrying off the store of provisions, resolved to make an attempt to relieve them from their charge. For this purpose, at midnight, on the 20th of January, a detachment of one

thousand men, under Captain Davis, was despatched, the main body following some hours after. The intelligence, however, under which the force had been detached, was erroneous, and so far from the place being deserted, Captain Davis found the garrison perfectly ready to receive him. He determined, notwithstanding, to execute his orders; and the place being unprovided with a draw-bridge, a twelve-pounder was rapidly run up to the first gate, which, at the second discharge, was blown open, so as to allow passage for a single man. Passing this, a second and a third gate presented themselves, and these were ultimately forced, though with greater difficulty, the assailants being during the whole period of operation exposed to the enemy's fire from above. The third gate being carried, the garrison escaped by ladders, on the opposite side, and the English were in undisputed possession of Carangoly. The loss of the victors was severe; but the effect of so brilliant a stroke at the opening of the campaign was highly beneficial, more especially after the shadow which had so recently passed over the power of the British arms. One main object of the attack was also secured, in the capture of a quantity of grain.

Wandewash was about twenty-three miles further, and this was the next object of anxiety. When Hyder Ali entered the Carnatic he found no great difficulty in obtaining possession of the forts, where the officers of Mahomet Ali had the actual command. A short negotiation with the killadar saved a long

CHAP. XI. siege. To avert such consequences, English officers, with small bodies of Company's troops, were dispatched to various places, and among others to Wandewash. The officer to whom the charge of defending this place was allotted was Lieutenant Flint, who arrived before it with a force of about a hundred men. Having ascertained that the place was still occupied by Mahomet Ali's troops, he sent a message to the killadar announcing his approach. The killadar answered that the British officer would be fired at if he should come within range of the guns. Not deterred by this threat, Lieutenant Flint persevered, and at the verge of the esplanade met a picquet sent to stop him. The native officer representing that he could not be permitted to pass, Lieutenant Flint answered that the officer must have misapprehended his orders, which could only have been to stop the approaching party till satisfied that they were friends, of which there could no longer be any doubt; and he succeeded in shaking the faith of the officer in his own conviction of the meaning of his orders, so far as to prevail on him to seek an authoritative explanation of them. In the meantime the English party continued to advance, all messages of warning, several of which followed the first, being met by Lieutenant Flint with a further request for explanation. Arrived within musket-shot of the ramparts, it was perceived that they were manned with troops, and that the gates were shut. Here Lieutenant Flint halted, and demanded admission for himself and a few attendants,

to deliver a letter from the Nabob to the killadar. This the killadar refused; but, after some parley, agreed to receive the letter between the gate and the barrier of the fortress. Here he took his place on a carpet, attended, for state, by several men o rank, and, for protection, by thirty swordsmen an one hundred sepoys. Lieutenant Flint advanced t the conference with four sepoys only, and, after th usual compliments, avowed that he had no lette from Mahomet Ali; but added, that he possesse that which under the circumstances was to be consi dered as equivalent—the order of his own govern ment, written in communication with the Nabob The killadar took a much lower estimate of the valu of the document, which he was disposed to treat wit contempt, and, after some slight discussion, wa about to retire, when Lieutenant Flint suddenl sprung on him, and declared that his death shoul instantly follow if a hand were raised to rescue him The bayonets of the four British sepoys were at th same moment pointed at the breast of the killada while the powers of his own guards seemed suspende by consternation. Before they recovered their self possession, the remainder of the British detachmen rushed in, and Lieutenant Flint then explained tha no harm to the killadar was meditated; that, on th contrary, if no resistance were offered, he should stil retain the honour of the command, which was to b actually exercised by his English captor. Littl time was spent in negotiation; the gates wer opened, and the whole party entered as friend

CHAP. XI. But for the extraordinary means adopted by Lieutenant Flint the place would have passed into the hands of Hyder Ali. The bargain had been made, and the act of surrender was to receive the seal of the killadar on the very day on which he so unexpectedly found himself within the grasp of the English lieutenant. The former avenged himself for the loss of his anticipated reward by endeavouring to excite disaffection in the garrison to the English cause; but the vigilance and address of Lieutenant Flint rendered his efforts ineffectual.

Wandewash had been invested by Hyder Ali late in the preceding year, and on the 16th of
A. D. 1781. January the enemy had entered the ditch by galleries in two places, while another gallery from the south was nearly ready for the same operation. The garrison were now anxiously looking for relief, and at two o'clock in the morning of the 17th, a heavy fire of cannon and musketry was heard in the direction whence relief was expected. The firing continued till day-break, when a column of about three thousand infantry, having the appearance of British sepoys, with English colours flying, appeared and drew up behind a village near the east face of the fortress, and discharged their cannon at bodies of horse making demonstrations as though preparing to charge. At the same time the troops in the town engaged in the lines of attack on Wandewash abandoned their trenches with precipitation, and marched off in the direction of Arcot. The garrison were persuaded that succour had arrived; but

there were some circumstances in what was passing which rendered Lieutenant Flint somewhat more than sceptical. He observed that the fire of the guns was from a distance not usual in the practice of British artillery, and that the shot discharged at the approaching bodies of horse grazed in directions clear of their apparent object. He found some difficulty in impressing his own belief on his men; but the hesitation of the pretended relief at length began to shake even their confidence in its approach. He ventured, however, to avail himself of the opportunity to detach a large portion of his small garrison into the works of the western attack, which they entered unperceived, destroyed the galleries, and set on fire the materials accumulated for filling the ditch. The smoke from this operation was the first intimation to the enemy of what was in progress, and large bodies of men, who were placed in ambush in every direction, immediately rushed to recover the works. The signal for the return of the party from the garrison was thereupon made and promptly obeyed, and the party, after scouring the trenches of the southern attack, and killing or making prisoners every one who had been left concealed either there or in the lines of the western attack, rejoined their comrades without the loss of a man. During three or four days succeeding the defeat of this notable scheme the enemy was assiduously employed in repairing the damage which his works had sustained; but on the 22nd of January the batteries and trenches were evacuated, and the tents

CHAP. XI.

A. D. 1781.

CHAP. XI. and baggage sent off in the direction of Arcot. The enemy had learned the capture of Carangoly, and on the 23rd they most opportunely disappeared, leaving the garrison of Wandewash with only one day's consumption of ammunition. On the 24th Sir Eyre Coote arrived, and had the satisfaction of still seeing the British flag flying on the ramparts. Twenty-one years before, on the same day of the same month, the veteran commander had raised the siege of Wandewash by one of the most memorable of his victories, and he now encamped on the same spot which he had then occupied.

A French fleet at this time appeared off Madras, but it brought no land force. Sir Eyre Coote having relieved Permacoil, one of the fortresses invested by Hyder Ali, proceeded to restore order at Pondicherry, which had been shaken by the removal of the garrison to other duty. His next object was to protect Cuddalore, which was likely to be a source of annoyance in the hands of the enemy. Here he was greatly pressed by want of provisions, and a long interval passed undistinguished by any thing worthy of record in a history not exclusively military. Happily the commander of the French fleet had not suffered the example of his predecessors to be lost upon him. About three weeks after his arrival he had suddenly departed for the Islands, and thus afforded opportunity for the English army to receive supplies by sea.

The first occurrence which broke the monotony of repose took place about the middle of June. The

fortified pagoda of Chilambrum was reported to be garrisoned by only a few hundred irregular troops, and as there was no considerable body of the enemy in its vicinity, Sir Eyre Coote hoped to be able to carry it by a *coup de main*. The attack was conducted by the commander-in-chief himself, but it failed. Some intention existed of renewing it; but better information of the state of the garrison, which was far more numerous than had been supposed, and comprised, contrary to Sir Eyre Coote's belief, a large number of regular troops, led to the abandonment of further attempts against the place.

During the inactivity of the British army, Hyder Ali had been characteristically employed in a variety of minor enterprizes, of which the acquisition of booty formed one principal object. On hearing of the attack on Chilambrum, he made a forced movement of a hundred miles in two days and a half, placed himself between the English army and Cuddalore, and began to fortify a position not more than three miles from the British encampment, at the same time covering the whole country with his cavalry. The situation of the English army was now most critical: its possible destruction was contemplated, even by its own commander; and while part of the squadron under Sir Edward Hughes was to cover Cuddalore, the remainder was to watch the operations of the army, and to receive, if necessary, the remnant that might be left from defeat, should that result await it. The battery-guns were embarked; and divested of every impediment to rapid motion,

CHAP. XI. an attempt was to be made, either to turn or force the enemy's position, or to bring on a general action.

A.D. 1781. At seven o'clock on the morning of the 1st July the British army had passed out of its encampments. At this time the commander-in-chief was utterly ignorant of the nature of the enemy's works, and was not even aware of their precise position, for Hyder Ali's cavalry had closed all avenues of intelligence. After marching about a mile and a half the works became clearly distinguishable, and Sir Eyre Coote spent considerable time in a careful *reconnaissance*. His army was during this period exposed to a distant but continuous cannonade, but the English artillery did not return a single shot. The accidental discovery of a road, which Hyder Ali had made for some purpose of his own, facilitated the attack of the English, which was made in two columns. The battle raged for six hours, and every inch of ground was fiercely contested. "Every individual in the Company's service," says one chronicler of the battle, "fought as if the fate of the day had depended on his single efforts."* Their energy met its reward in a brilliant victory. At four o'clock the enemy's line gave way, and a precipitate retreat followed. Hyder Ali had throughout the day viewed the battle from a small eminence, where, seated cross-legged on a low stool, he witnessed the gradual yielding and ultimate flight of his vast army. That which he saw was so much at variance with that which he had anticipated that he

* Memoirs of the War in Asia, vol. i. page 197.

could scarcely believe his senses; and at last, when some of his followers suggested that it was time to move, the intimation was met by a torrent of that vulgar abuse which always constituted the staple of Hyder Ali's eloquence. A groom, whose long service had conferred on him the privilege of disregarding ceremony when danger was at hand, saved his master from the fate which he seemed determined to invite. Seizing the feet of the chief, he forced on his slippers, observing, as he thus equipped him for flight, "We will beat them to-morrow: in the meanwhile mount your horse." The advice of the faithful menial was followed, and Hyder Ali was soon at a distance from the impending danger.

The English army engaged on that day amounted to about eight thousand men. The army of Hyder Ali was at least eight times that number. The enemy had forty-seven pieces of cannon of heavy calibre; the English guns were lighter, but rather more numerous—they were fifty-five in number. A small schooner from the British squadron opened her fire upon a mass of Hyder Ali's cavalry when they were wavering, and the broadside was fatal to a distinguished commander and a considerable number of men. This unexpected attack, magnified by the fears of those upon whom it was made, led them to believe and report that the fire of the entire squadron was turned upon them.

The loss of the English in the battle of the 1st of July was comparatively trifling. About three hundred was the total amount of both killed and

CHAP. XI. wounded. The loss of the enemy cannot be stated with certainty, but it is believed that in estimating it at ten thousand the truth is not exceeded.

A. D. 1781. On the 22nd of June Tippoo Sultan had renewed the siege of Wandewash. On the night of the 16th of July an attempt was made to carry the place by an escalade at all accessible points. It failed: each column, as it approached, was received with a discharge of grape, and irretrievable confusion followed. Orders to renew the attempt at escalade on the ensuing day produced indications of mutiny, the moral influence of Hyder Ali's late defeat coming in aid of the discouragement occasioned by the failure which Tippoo's attempts had already experienced. On the 18th of July Sir Eyre Coote arrived at Carangoly, on his way to effect a junction with a detachment which had arrived from Bengal; and on the same day Tippoo Sultan decamped from Wandewash, leaving the garrison the employment of destroying a number of works, which had been constructed with vast labour before the design of attack by escalade had been entertained. Hyder Ali had made preparations for intercepting Sir Eyre Coote by the route which it was expected he would take. The British general avoided them by taking another road, which enabled him to arrive safely at Pulicat, where he was joined by the expected reinforcement.

Thus strengthened, Sir Eyre Coote was still unable to attempt either of two objects of great importance, the relief of Vellore or the siege of Arcot.

Tripassore, a fortress of some importance, seemed to offer an easier acquisition, and on the 19th of August he appeared before it. On the morning of the 22nd, a breach having been effected, a flag of truce appeared, proposing a surrender, upon terms that had previously been offered, but which were now refused, and unconditional surrender within a quarter of an hour demanded. The instant after the answer was dispatched, it was reported that large bodies of the enemy were in sight, and on reconnoitering, the advanced guard of Hyder Ali's army was perceived in full march. There was now not a moment to lose — Sir Eyre Coote issued orders to storm instantly; and the troops had just emerged from the trenches, when the flag of truce returned with the declaration of surrender, and the assailants ascended the breach without opposition. On perceiving this, the enemy withdrew. The question which had protracted the surrender was, whether the garrison should or should not be prisoners of war. The result had left them prisoners; but to provide food for one thousand four hundred men was an additional difficulty, which the exhausted state of the British commissariat was little able to bear. Sir Eyre Coote proposed to Hyder Ali to exchange them for an equal number of British troops; but the Mysorean chief did not set on his garrison at Tripassore sufficient value to induce him even to wish to preserve their lives. In answer to Sir Eyre Coote's proposal, he said, "The men taken at Tripassore are faithless and unworthy; they know that they dare not approach me; they are your

CHAP. XI. prisoners, and I advise you to put every one of them to death speedily."

Hyder Ali had taken up the same fortunate position which he had formerly occupied when opposed by Sir Hector Munro, and there, on the 27th of A. D. 1781. August, a battle was fought, the result of which was, that the enemy were driven from their position, and the English left in possession of the field. But the victory thereupon claimed by the English was not very decisive, and the claim is contested by the Mysoreans, who allege the battle to have been a drawn one.* It rather tended to restore to the enemy a portion of the confidence which had been lost by the battle of the 1st of July; and when, two days after the engagement, Sir Eyre Coote returned to Tripassore, he did not possess a day's provisions for his fighting men, while the non-military persons attached to the camp had been without food for two days. Under these dispiriting circumstances, Sir Eyre Coote, "feeling the conviction," says Colonel Wilks, "that he was wasting his large store of character, and what little remained of life, by continuing in command of troops unprovided with all but arms," proceeded to the presidency to represent the inutility of keeping together an army incapable, for want of stores, of effecting any thing, and to express his own desire to be relieved from the command of it. A new governor, Lord Macartney, had arrived at Madras; his advice prevailed on the

* So stated by Colonel Wilks, who had examined the Mysorean authorities.

veteran soldier to make further trial of the practicability of keeping the army together, and rendering its services beneficial. Sir Eyre Coote returned, and on the 27th of September, near the hill of Sholingur, once more put Hyder Ali to the rout, having taken him in a great degree by surprise. The loss of the enemy was believed to be not less than five thousand, that of the English was not more than a hundred. By sacrificing a large number of his cavalry in charges having no object but to gain time to secure the guns, Hyder Ali was enabled to carry off nearly all his artillery. The English took three cavalry standards and one gun, all which, together with the honour of the victory, Sir Eyre Coote professed himself willing to have parted with for five days' supply of rice. The English army kept the field for some time after this battle, principally occupied in endeavours to procure the means of subsistence, and continually misled on this and other points by false intelligence. Late in November it returned into cantonments, near Madras. A. D. 1781.

The English were now at war with the Dutch as well as the French. Sadrass and Pulicat, both Dutch possessions, had been taken soon after the arrival of Lord Macartney, and to these were added in October, 1781, the more important settlement of Negapatam. This capture was effected by a military force under the command of Sir Hector Munro, aided by the fleet under Sir Edward Hughes. The army commanded by Sir Hector Munro included a detachment under Colonel Braithwaite, which had

CHAP. XI. been employed with some success in Tanjore. Towards the close of the year, Trincomalee and Fort Ostenburgh, Dutch possessions in Ceylon, were added to the conquests of the English.

Sir Eyre Coote had proposed to proceed to Bengal, to concert, if possible, with the governor-general, some plan for relieving the army from the embarrassments and privations which deprived it of efficiency, and wasted its energy in an unremitting search after food. The state of his health, too, which had sunk under the fatigues to which he had been subjected, suggested the expediency of change; but the dangers which threatened Vellore, and the necessity of relieving it, determined the general to remain to perform this duty in person. He rejoined the army

A. D. 1782. on the 2nd of January. On the 5th he was seized with apoplexy, and remained insensible two hours. He recovered sufficiently to be able to march the next day, and on the 11th arrived with supplies under the walls of Vellore; this being the very day which had been declared by the commandant to be the last to which he could protract the defence unless relieved. Sir Eyre Coote commenced his return to Madras on the 13th, and arrived there on the 16th, after encountering some opposition from Hyder Ali, which was promptly overcome.

On the coast of Malabar the cause of Hyder Ali had not prospered. The native chiefs exerted themselves vigorously, and the English settlement of Tellicherry was for two years bravely defended by means apparently very inadequate. Early in 1782,

reinforcements arrived under Major Abington, and not only was the siege raised, but the whole of the enemy's cannon, amounting to sixty pieces, as well as the whole of their baggage, fell into the hands of the English. But this success was counterbalanced by a misfortune which overtook the corps of Colonel Braithwaite in Tanjore. This, like many other mischances which befel the English, was attributable to the fact of those who furnished the British commanders with intelligence being the servants and spies of the enemy. Colonel Braithwaite, with about two thousand men, encamped upon a plain, where his pretended emissaries assured him that he was secure. An intelligent native, unconnected with the army, warned him of his danger, but in vain: it was impossible to shake the colonel's faith in his ordinary channels of information; and the man who would have saved him having protested against the rejection of his advice, mounted his horse and sought his own security in flight from the spot which was shortly to be devoted to carnage. Wrapt in the confidence of fancied security, Colonel Braithwaite awoke not from his delusion till he found himself surrounded by the army of Tippoo Sultan. Retreat was impossible, and nearly the whole of the English corps was cut to pieces. The kindly attentions of the French officers attached to the army of Tippoo Sultan were, on this occasion, again exerted to stop the indiscriminate slaughter and to minister to the relief of the wounded.

An expedition had been dispatched from England

CHAP. XI. under Commodore Johnston and General Meadows, of which one object was to attack the Dutch settlement at the Cape. Another expedition had been dispatched from France, partly for service in the East, but designed in the first instance to protect the Cape from attack; and arriving before the English expedition, this object was attained. Commodore Johnston having made prizes of some Dutch vessels, thereupon returned to England with three frigates: the remaining ships, together with the troops, proceeded to India. The French having left some troops to reinforce the garrison at the Cape, proceeded to the Islands, and there having added to their strength, they pursued their course to their ultimate destination.

The French fleet, under Mons. Suffrein, was encountered by Sir Edward Hughes, who captured six vessels—none of them ships of war, but one a transport, full of troops, the loss of which was a severe blow to the French force. The French admiral, however, succeeded in landing at Porto Novo three thousand men, two thousand of them Europeans, the remainder Africans. This being performed, he departed in search of a fleet of English merchantmen, the arrival of which on the coast was reported. Sir Edward Hughes soon afterwards sailed to relieve Trincomalee, and happily fell in with the fleet for which the French commander was seeking. It consisted of seven Indiamen and two line-of-battle ships. The latter the English admiral took with him, and pursuing his course, came up with the French

fleet about fifteen leagues from Trincomalee. A sanguinary battle ensued, and terminated without any decisive results, both fleets being too much crippled to renew the contest. The English fleet retired to Trincomalee to repair damage; the French, for the same purpose, to Bathiolo, a port of Ceylon, still in the possession of the Dutch.

On land, the progress of events was less favourable to the English. The French force had joined the army of Hyder Ali, Cuddalore had fallen to them, and the loss of that place was followed by that of Permacoil. The allies then presented themselves before Wandewash; but Sir Eyre Coote approaching, they did not choose to wait his arrival, but withdrew towards Pondicherry. There they were followed by the veteran commander of the British forces, who came in sight of them encamped in a strong position in the neighbourhood of Kellinoor. A movement by Sir Eyre Coote, menacing Arnée, drew upon him an attack, which ended in the discomfiture of the enemy with severe loss. A negotiation had been in progress for the purchase of Arnée, but the vicinity of Hyder Ali rendered the killadar afraid to complete it. A few days afterwards the grand guard of Sir Eyre Coote was drawn into an ambuscade and destroyed. The English army was now pervaded by sickness to an alarming degree. Its next march was to Wandewash, from whence it returned to the vicinity of Madras.

The subsequent naval operations are little more interesting than those which took place on land.

CHAP. XI. The French meditated an attack upon Negapatam, but the design was frustrated by the appearance of Sir Edward Hughes. A battle took place, ending, like so many of the naval engagements of the time, without a capture on either side, and leaving the claim to victory doubtful. Mons. Suffrein was more successful in an attack upon Trincomalee, which he compelled to surrender. The English admiral arrived immediately afterwards, and, from the state of the light, being unable to perceive the symptoms of change, stood in to the harbour. In the morning, the French colours flying on shore, as well as in the anchorage, told distinctly by whom the place was garrisoned. An action between the two fleets followed, but concluded in the usual indecisive manner—the French returning to Cuddalore and the English to Madras. As a naval commander, the French admiral, Mons. Suffrein, appears in a far more respectable light than most of his predecessors in India; but one of his acts casts upon his memory a stain, for which no professional merit can atone. He had proposed to Lord Macartney a cartel for the exchange of prisoners. Some delay took place in consequence of the necessity of referring to Sir Eyre Coote. The English general wished the English prisoners in the custody of Hyder Ali to be included in the exchange; but this proposal, it is believed, was rejected by M. Suffrein. To whatever cause, however, the failure is attributable, it is certain the negotiation ended without any arrangement being completed. M. Suffrein thereupon landed

his prisoners at Cuddalore, and deliberately transferred them to Hyder Ali, by whom they were marched in chains to Mysore. M. Suffrein was not ignorant of the fate to which he consigned his wretched prisoners. Several of his countrymen, greatly to their honour, interposed their endeavours to shake the determination of the French admiral, by depicting the horrors to which Hyder Ali's English prisoners were subjected. Their efforts were fruitless, and M. Suffrein doomed his prisoners to captivity in Mysore, and his own character to universal reprobation. "The whole civilized world," says Colonel Wilks, "must unite in its abhorrence of delivering to the custody of a barbarian, notorious for his contempt of" the customary laws of war among civilized nations, "prisoners entitled to honourable treatment from an honourable enemy."

Sir Eyre Coote's health was now too much shaken to permit of his continuing longer in the state of mental and corporeal excitement in which he had been placed since his arrival on the coast of Coromandel. In aggravation of the toils of war, he had been engaged in a series of disputes with the governor of Madras. Sir Eyre Coote had been invested by the government of Bengal with extraordinary powers, very properly entrusted, with reference to some of the parties in the government of Madras, but which the general was disposed to maintain pertinaciously, and somewhat offensively, against the claims of Lord Macartney, a man neither tainted with the corruption in which his immediate predecessors were steeped,

CHAP. XI.

nor deficient, as they had been, in ability for his high office. The governor was greatly annoyed; but, having much the advantage of his opponent in point of temper, no direct breach took place. On the contrary, Lord Macartney invariably treated the general with the most punctilious respect, though he occasionally suffered some fragments of blame to escape him, clothed, however, in the most courtier-like terms. Occasionally too he ventured to act without consulting the commander-in-chief. He thus acted in the attack on Negapatam, the result of which was honourable to his judgment. But such insubordination was very disagreeable to Sir Eyre Coote, who was disposed to exercise his powers in a manner which would have rendered the maintenance of a governor at Madras a piece of useless expense and pageantry. These broils were suspended by the departure of Sir Eyre Coote for Bengal, the command of the army devolving on General Stuart.

A. D. 1782.

Early in the year 1782, a British force, commanded by Colonel Humberstone, being part of that dispatched from England under General Meadows, had landed at Calicut. They joined the troops previously under the command of Major Abington, and Colonel Humberstone took the command of the whole. The reinforcement had been destined to assist in the operations in progress on the eastern side of India and at Ceylon; but the officers, with that independence of authority which was not then unusual in India, took the course which has

been described. Some success at first attended the operations of this force; but it was, after a time, compelled to make a rapid retreat before the army of Tippoo Sultan. Colonel Humberstone returned to the coast with about three hundred men, the remnant of one thousand with which he had landed a short time before. Colonel Macleod had been sent by Sir Eyre Coote to take the command, and he resisted a night attack on his position by Tippoo Sultan with spirit and success. Further attacks were apprehended, and Sir Edward Hughes, who now appeared off the coast with his squadron, joined Colonel Macleod with a reinforcement of four hundred and fifty Europeans, when circumstances were unexpectedly changed by the sudden departure of Tippoo Sultan to the eastward. This retrograde movement was caused by the receipt of intelligence of the death of Hyder Ali, who closed his ruffian life at an age not falling short by many years of that of Aurungzebe. To avert confusion, it was important to conceal his death till his successor was on the spot to maintain his claim. The body was accordingly deposited in a chest filled with aromatics, and sent from the camp under an escort in a manner similar to that in which valuable plunder was conveyed. All the business of the state went on as usual, and inquirers after the health of the chief were answered, that though extremely weak, he was in a state of slow but progressive amendment. Of the few persons entrusted with the secret, one only, named Mahomed Ameen, proved faithless.

CHAP. XI.

This person, who commanded four thousand horse, formed a project, with some others, to take off by assassination those who provisionally administered the government, and to assume their power in the name of Hyder Ali's second son, a young man of weak intellect, in whose hands empire would have been but an empty name. The plot was detected; the conspirators seized and sent off in irons; the belief that Hyder Ali still lived being encouraged by these acts being represented as the consequences of his personal orders. The army marched in the direction of Tippoo Sultan's advance, and the palanquin of Hyder Ali occupied its accustomed place, care being taken to restrain too close approach, lest the repose of the royal patient should be disturbed and his recovery impeded by noise or interruption. At length the illusion was dispelled by the arrival of Hyder Ali's successor, who assumed the sovereignty which awaited him with an extraordinary affectation of humility and grief.

The death of Hyder Ali afforded a favourable opportunity to the English for striking a vigorous blow, but it was not improved. The government pressed upon General Stuart the expediency of the immediate march of the army; but the answer of the general was, that he did not believe that Hyder Ali was dead, and if he were, the army would be ready for action in proper time. The recommendation to march was repeated, and General Stuart then declared himself astonished that there could be so little reflection as to talk of undertakings against

the enemy in the actual state of the army and the country. Thus was opportunity thrown away: when it was lost, the army was put in motion. On the 15th January, thirteen days after the arrival of Tippoo Sultan in his father's camp, and his unopposed accession to the government, the English army made its first march, for the purpose of conveying provisions to Tripassore, its first intermediate depôt; and it was not till thirty-four days after the arrival of Tippoo Sultan, and sixty days after the death of Hyder Ali, that any step of importance was taken towards the attainment of the objects of the campaign. CHAP. XI. A. D. 1783.

General Stuart was well disposed to assume the extraordinary powers which had been exercised by Sir Eyre Coote; but he had no pretence for claiming them, and Lord Macartney was naturally indisposed to yield to his desire for absolute authority. He accordingly assumed the direction of all military measures, leaving to the general only the duty of executing them. In one of the plans most early acted upon, both the governor and General Stuart concurred. It was that for the destruction of the forts of Carangoly and Wandewash; a proceeding severely condemned by the government of Bengal, and by almost every individual who has passed a judgment upon it.

Two events now occurred, calculated to dispirit the English and give confidence to their enemies. Sir Eyre Coote, having improved in health, returned to Madras in the Company's armed ship *Resolution*,

CHAP. XI. which bore also a large supply of money. Towards the close of the voyage the *Resolution* was chased during two days and nights by a French ship of the line. The anxiety of the general kept him constantly on deck, where the excessive heat of the day and the heavy damps of the night, combined with the agitation consequent on the circumstances of the voyage, gave to his enfeebled frame a shock from which nature was unable to recover. The ship arrived in safety at Madras, and two days afterwards Sir Eyre Coote expired.*

The other event referred to was the arrival of M. Bussy, to take the command of the French troops in India, accompanied by reinforcements from the Isle of France. General Stuart had taken up a position to the south of Cuddalore: M. Bussy took his on a spot not far distant, and began to erect field-works, with great skill and rapidity. Here he was attacked
A. D. 1783. by the English, on the 13th of June, with success, part of the French works being carried, and several of their guns taken. On the day on which this conflict took place, the fleet under M. Suffrein made its appearance, and a few days afterwards, having received on board twelve hundred men from the force under M. Bussy, an action with the English fleet took place. The fight was maintained with much spirit, and closed

* Sir Eyre Coote commanded in an eminent degree the respect and affection of the Native troops. Colonel Wilks states that the portrait of Sir Eyre Coote was hung up in the Exchange at Madras, and that no sepoy who had served under him ever entered the room without making his obeisance to Coote Bahadur.

at night in the accustomed manner; both parties being severely crippled, while neither had gained any decided advantage. On the following day Sir Edward Hughes sought to renew the battle, but in vain, and being unable, from the state of his ships and the want of water, to remain where he was, he reluctantly bore away for the Madras roads. M. Suffrein now returned the twelve hundred men, who had been furnished by M. Bussy, and landed from the fleet two thousand four hundred more. Thus strengthened, the French general, on the 25th of June, made a vigorous sortie with his best troops. The attack on the English trenches was pushed with vigour, but not a single point was forced, and the French sustained a heavy loss.*

* An incident connected with this attack, and which, in addition to the interest derived from its romantic character, merits notice, from the historical reputation of one of the parties, is thus related by Colonel Wilks: "Among the wounded prisoners was a young French serjeant, who so particularly attracted the notice of Colonel Wangenheim, commandant of the Hanoverian troops in the English service, by his interesting appearance and manners, that he ordered the young man to be conveyed to his own tents, where he was treated with attention and kindness until his recovery and release. Many years afterwards, when the French army, under Bernadotte, entered Hanover, General Wangenheim, among others, attended the levee of the conqueror. 'You have served a great deal,' said Bernadotte, on his being presented, 'and, as I understand, in India.' 'I have served there.' 'At Cuddalore?' 'I was there.' 'Have you any recollection of a wounded serjeant whom you took under your protection in the course of that service?' The circumstance was not immediately present to the general's mind; but on recollection, he resumed: 'I do, indeed, remember the circumstance, and a very fine young man he was. I have entirely lost sight of him ever since; but it would give

CHAP. XI.

A. D. 1783.

A brief retrospect of the progress of the war on the western side of India during the year 1783 will now be expedient. On the news of the advance of Tippoo Sultan, the government of Bombay had dispatched General Mathews with a force for the relief of Colonel Humberstone, at Paniani. Tippoo Sultan had withdrawn before his arrival, and several places of some importance fell almost without resistance into the hands of the English. On becoming acquainted with the death of Hyder Ali, the government of Bombay sent positive orders to General Mathews to discontinue all operations on the coast, and make an immediate push for Bednore. According to almost invariable practice, the general and the government under which he acted took different views. He protested against the orders which he had received, but proceeded to execute them with promptness, almost amounting to precipitation. Bednore surrendered on terms; Mangalore, and some other places, also yielded on capitulation; but a few it was necessary to carry by the sword. Among the latter was Anantpore, where the English assailants were accused of having acted with great barbarity. A large part of the enormities ascribed

me pleasure to hear of his welfare.' 'That young serjeant,' said Bernadotte, 'was the person who has now the honour to address you, who is happy in this public opportunity of acknowledging the obligation, and will omit no means within his power of testifying his gratitude to General Wangenheim.'" The serjeant had become one of the most distinguished of the generals of France—it is almost unnecessary to remind the reader that he subsequently attained the exercise of sovereign power in Sweden.

to them were absolutely false; a portion, which seems, unhappily, to be true, is ascribable to a conflict of authorities, arising out of the unsettled circumstances of the times, which led the English to believe that they were subjected to treachery.*

Bednore was retained by the English about three months. Tippoo Sultan returned from the Carnatic with a force which General Mathews was in no condition to resist; and on the 3rd of May the English garrison marched out of Bednore, on conditions dictated by the conqueror. These conditions Tippoo Sultan found a pretext for violating, and having charged the English officers with enriching themselves by the plunder of the public treasury, he marched them off in irons to distant places.†

The next effort of Tippoo Sultan was directed to the reduction of Mangalore. It was ably defended by Colonel Campbell, and after sustaining a protracted siege, was unexpectedly relieved from a part of the besieging force by the arrival of news of the

* A story, for some time believed, and which has found a permanent record in the Annual Register of 1783, of the massacre of four hundred beautiful women, has not the slightest foundation in truth.

† A minute investigation of this charge would occupy much space without any adequate advantage. The native governor of Bednore had certainly provided amply for himself out of its treasury, though he lost a large part of his acquisitions in his flight from his master. It was pretty generally believed that General Mathews was not indisposed to improve his fortune; but that officer, in a memorandum drawn up during his captivity, declared the government indebted to him for advances from his private resources, to the amount of 33,000 rupees.

CHAP. XI. conclusion of peace between England and France. It is said that the communication of this intelligence was deferred for ten days, during which the siege was hotly pressed. Tippoo Sultan was bewildered by the loss of his European friends, and not knowing what to do, consented to an armistice, extending to Mangalore, Onore, and the British forts in Malabar.

On the eastern side of India, the intelligence of peace in Europe arrived immediately after the unsuccessful sally made by M. Bussy on the English. But peace between the conflicting authorities of Madras there was none. General Stuart, always anxious to possess the extensive powers enjoyed by his predecessor, had requested that a corps under Colonel Fullarton should be placed under his orders. The application was complied with reluctantly, and the general was enjoined not to use the discretionary power with which he was invested, except in case of urgent necessity. Such a case, he alleged, occurred, and he instructed Colonel Fullarton to move towards him. The government, at the same time, issued orders directing Colonel Fullarton to move in a different direction. Embarrassed by these contradictory instructions—one set emanating from the civil authority, which he was at all times bound to obey, another from the chief military authority, who had a right to command him in case of emergency —Colonel Fullarton had only to make choice of whom he should disobey. He chose to violate the instructions of his government; and probably he did

well, acting on the presumption that General Stuart would not require his services if they were not necessary. But the conduct of General Stuart, on this and various other occasions, had given great offence at the presidency, and he was summoned to repair thither to explain or justify his disobedience. He manifested no more alacrity in obeying this than former orders from the same authority, but at last proceeded to Madras, where the various points of dispute were fiercely discussed. Finally, the governor proposed the dismissal of the general, and the other members of committee concurred. The denounced officer, however, avowed his determination to retain the command of the king's troops, notwithstanding the decision of the government; and Sir John Burgoyne, the second officer in rank, declared that he should obey the orders of General Stuart. The dispute was cut short by the government arresting General Stuart, and detaining him as a prisoner till an opportunity offered for his proceeding to England. It is remarkable that the officer, against whom the government of Madras felt necessitated to adopt a measure so severe, should have been the same who, some years before, had executed the revolutionary orders of the majority in council, by arresting the then governor of Madras, Lord Pigot.*

* The singular fortune of General Stuart is said to have called into action all the light wit that Madras could muster in the manufacture of epigrams. The second son of Mahomet Ali is reported to have recorded his view of the affair in the best English which he could command.

CHAP. XI. By the terms of the armistice concluded with Tippoo Sultan, on the western side of India, arrangements were made for the periodical supply of Mangalore with provisions. These arrangements were rendered ineffective by the most scandalous evasions on the part of the besiegers, who continued moreover to carry on their works without respect to the engagements subsisting between them and the besieged. Relief was anxiously expected in Mangalore from Bombay; but from some causes, which it is difficult satisfactorily to explain, nothing effective was done. This supineness has been ascribed to respect for an article in the preliminaries between England and France, in which it was stipulated that four months should be allowed to the belligerent powers of Hindostan to accede to the pacification. The government of Madras gave notice of this article to Tippoo Sultan's political agent, and thought fit to date the commencement of the period of four
A.D. 1783. months from the 2nd of August. A singular liberality was displayed in fixing this date, as Tippoo Sultan had acknowledged being acquainted with the peace twenty-four days before the 2nd of August, and it was believed that his knowledge might have been dated ten days earlier without inflicting on him any wrong. But it is of little importance to argue when the four months allowed to the Indian belligerents for consideration ought, in reason, to have commenced, for Tippoo Sultan did not at any time abstain from hostile proceedings—he disregarded alike the general stipulation contained in the

preliminaries between England and France, and the special convention concluded with himself. It was absurd to suppose that one party should be bound by conditions which the other set at naught—that the English were to abstain from means of defence as well as of offence during four months, while Tippoo Sultan was at liberty to prepare, unchecked, measures for their destruction; but into this absurdity the British authorities on the western side of India fell. Even when the sacred four months expired they were not prepared effectually to relieve Mangalore. On the day which, according to their own view, found them at liberty to act vigorously, they were unprovided with the means of succouring the place. On the 1st of December a squadron was off Mangalore, but they were destitute of water, and all but one ship departed on that day; that solitary one, on board of which was Brigadier-general Macleod, following on the 2nd. Some inadequate supplies were subsequently thrown in, but they appear to have passed under the provisions of the armistice with Tippoo Sultan, which he was every hour breaking. At length the distress of the garrison became extreme. The salt meat was uneatable, the biscuit swarmed with vermin, and sea scurvy, the consequence of this loathsome and unwholesome food, raged throughout the garrison. The sepoys had neither salt nor condiment of any kind; blindness, alleged to proceed from the consumption of rice without any antiseptic addition, seized vast numbers. Two-thirds of the garrison

CHAP. XI. A.D. 1784.

were in hospital, and it was not unusual for the men to drop down on parade in the vain endeavour to shoulder arms. On the 23rd of January it seemed impossible longer to protract this state of suffering with any adequate advantage. Negotiation was opened; on the 26th, articles of capitulation were agreed upon, but not signed till the 30th. In the interval, Colonel Gordon arrived with two ships containing a month's provisions. Had these arrived earlier the siege might have been prolonged; but now the articles were agreed upon, though not signed, and Colonel Campbell would not recede from that to which his faith was pledged. The garrison were permitted to march to Tellichery with arms, acoutrements, and the honours of war. The gallant officer who, after nobly defending for many months a place of no great strength against a vast army, had, on its surrender, obtained for himself and his men terms rarely granted, did not long survive the fatigues and anxiety to which he had been subjected: he died on the 23rd of March, in the same year.

About the middle of October, Colonel Fullarton, who, after his march in the direction of General Stuart's army, had returned to the southward, received intelligence of the insolent violation of the convention of Mangalore, and he in consequence moved on to Paligaut, with a view to effect a junction with a force commanded by General Macleod. Paligaut sustained a short and vigorous siege, but fell suddenly and unexpectedly. Captain Maitland,

being on duty in the trenches, took advantage of a heavy fall of rain to drive the enemy from the covered way which was not palisaded, and pursuing the fugitives through the first and second gateway, the garrison were struck with panic, and immediately surrendered. CHAP. XI.

The anticipated co-operation of General Macleod in the relief of Mangalore it was found could not be obtained. Tellichery, which was relied upon for provisions and stores, could afford neither; the troops under General Macleod could not be furnished with field equipage in less than two months, and the state of the country presented insurmountable difficulties in the way of a rapid advance. Colonel Fullarton had therefore to determine on a new course, and with a view to the ultimate expediency of advancing on Seringapatam, where it was understood disaffection prevailed, he proceeded to the capital of Coimbatore. Here his progress was arrested by instructions from commissioners proceeding to the court of Tippoo Sultan to negotiate. These instructions required the colonel not only to suspend his operations, but to abandon all his conquests and to retire within the limits possessed by the English on the 26th of the preceding July. Such instructions were, to say the least, prematurely given —they were founded on an assumption "that the cessation of arms appeared to have been disturbed in partial instances by accidental circumstances, and without any authority from government on either side," when it was notorious that it had been sys-

CHAP. XI. tematically violated by Tippoo Sultan himself. It is inconsistent with the ordinary duty of a soldier to inquire whether he will obey lawful orders or not, and to exercise a discretion which is not entrusted to him. Colonel Fullarton departed so far from general rule as to determine, while yielding obedience to that part of his recent instructions which required him to suspend further operations, to abstain from carrying into effect the remainder, and he expressed his intention to retain all his conquests till the receipt of further orders. In extenuation of this irregularity, it is to be urged that he knew the orders which had been conveyed to him to have originated either in a gross ignorance of facts or in gross weakness.

The commissioners entered on their duties, and there was apparently not much difference in the views of the opposite negotiators. Mutual restitution was to be the basis of peace, but the order in which the restitutions were to take place gave rise to much discussion. The English proposed that all places captured by either party to the eastward of the Ghauts should in the first instance be restored; that the release of all the English prisoners should then follow; and finally, on the English being satisfied that this condition had been faithfully executed, that exchanges of all places captured on the western coast should be made. Mangalore had not yet fallen, and the agents of Tippoo Sultan demanded that its surrender should precede the release of the English

prisoners, pledging their faith for the due fulfilment of the latter provision. The first commissioner, Mr. Sadleir, was ready to assent to this arrangement; the second, Mr. Staunton, had no such confidence in the good faith of Tippoo Sultan, and he refused to comply. In this situation, the question could only be decided by a reference to government, and its decision was most properly given in favour of the opinion of Mr. Staunton. At the same time, a third member, Mr. Huddleston, was added to the commission. In this instance the government acted wisely; they subsequently acted weakly. They resolved to enforce the orders of the commissioners for Colonel Fullarton to abandon his conquests, and retire within the limits prescribed by his previous instructions: Colonel Fullarton obeyed. On his march, he met the celebrated missionary, Swartz, who had been requested to assist the commissioners in the capacity of an interpreter, and was on his way, for the purpose of entering on this duty. Even this single-minded and peaceful man could not refrain from expressing his astonishment at the orders given to Colonel Fullarton. "And is the peace so certain," said he, "that you quit all before the negotiation is ended? The possession of these rich countries would have kept Tippoo in awe, and inclined him to reasonable terms. But you quit the reins, and how will you manage the beast?" The Colonel could only answer, "I cannot help it." It yet remained for the government to bear witness against its own folly, credulity, and precipitancy, and this was done.

CHAP XI Colonel Fullarton had not entirely fulfilled his former orders, when he received counter-orders, requiring him to retain possession of all that had not previously been given up, until he received further instructions.

The commissioners had hitherto treated only with Tippoo Sultan's servants at a distance from their master. In their progress towards the camp of the Mysorean chief, they were subjected to every inconvenience and indignity which could be devised. They were conducted by routes almost impassable, and several of their camels perished. Their journey was so regulated as to keep pace with the progress of famine at Mangalore, and when only twenty miles distant from that place, they were met by a letter from the Sultan, informing them that, at the earnest desire of Colonel Campbell, he had agreed to take charge of the fort. Arrived in the camp of the insolent Mahometan, the tent of each of the commissioners was graced by the erection of a gibbet in its front. Their communications with their countrymen in the ships lying in the roads were placed under restraint; and the commissioners learned that several British prisoners, including General Mathews, had been murdered by the tyrant, into whose power they had fallen. It was not unnatural that they should become apprehensive that the gibbets were erected with intentions beyond that of mere insult.*

* It has been reported that the commissioners meditated escape, for which they could not incur much blame; but the circumstances

It would be both tedious and useless to pursue the course of the negotiation through all its tortuous

under which the design was entertained are said to have been extraordinary. A narrative of them is given by Colonel Wilks; but as the official records of the time contain no account of the transaction, it has not been thought proper to insert any part of the details in the text. The subject, however, is too curious to be altogether passed over, and the following account is stated by Colonel Wilks to rest "on high and incontrovertible authority," living at the time of the publication of his second volume (June, 1817). That authority is understood to have been Sir Thomas Dallas, the commander of the commissioners' escort. "Mr. Swartz, the interpreter provided for the commissioners, was forcibly prevented from joining them; neither they nor any of their diplomatic suite understood either of the country languages; and the native interpreter, Vencaty Rangia, was one day taken ill, and unable to officiate. Under these circumstances, the commissioners had recourse to a menial servant of the officer commanding the escort, to be the medium between the two states in this important diplomacy. On the evening of the same dav this man came to his master's tent in the greatest apparent alarm, said that he had intelligence of the most urgent importance to communicate, and even begged that the candles might be extinguished to prevent observation. These precautions being taken, he proceeded to relate that, after being kept standing for several hours interpreting between the commissioners and Tippoo's ministers, finding himself much fatigued, he lay down without the tent wall; and after the dismission of strangers, and the retirement of the senior commissioner, he heard the two other commissioners discussing and arranging a plan for removing on board ship, where they would have at least the advantage of personal safety in conducting their negotiations: the arrangements for embarkation were to be conducted with the utmost secrecy, and to be adjusted on the ensuing day by the surgeon, Mr. Falconer, by means of a pretext for getting on ship-board, which was also related. The first commissioner was only to be apprized of it by their calling at his tent on their way to the boat, and giving him the option of accompanying them; the escort and attendants were to be left to their fate, and the only persons in the secret were to be the two

CHAP. XI. windings. It may suffice to say that as the arrogance and insolence of Tippoo Sultan had been encouraged

commissioners and Mr. Falconer (the memory of the living narrator does not enable him to state whether the secretary was also included). A faithful service of many years and a considerable portion of sagacity gave weight to the statement of the servant, and the master retired to rest, and to reflect on what was proper to be done. The next morning, at breakfast, Mr. Falconer appeared to be suddenly taken ill; it was necessary that he should be sent on ship-board to be bled. A boat was applied for and obtained for this special urgency, and he embarked. All this minutely accorded with the plan reported by the servant on the preceding night. The officer distinctly saw the first part of the project in operation, and immediately after breakfast assembled the military officers of the escort, consisting of four besides himself, including the aid-de-camp of the commissioners. He apprized them of all the facts with which he was acquainted; stated his own determination not to desert his men; but observed to them that the case was peculiar and nearly hopeless; that they were all bound by ties of affinity or of friendship to one or other of the commissioners, and that in circumstances so desperate he should exact no military obedience, but leave to each the free option of acting as he should think expedient. All instantly declared their determination to adhere to their duty and obey his orders, whatever they might be. He awaited the return of the surgeon in the evening, and the following conversation ensued:—

Officer.—Well, Falconer, how has the bleeding answered? I hope you feel better?

F.—Very much better; I was so sea-sick going on board, that bleeding was found unnecessary.

Officer.—I am glad to hear that you are so much recovered; but when does the boat come on shore to carry off the commissioners?

F. (turning pale).—What boat?

Officer.—I could not have suspected you of active concurrence in a plan for deserting your friends.

F.—In God's name, how came you acquainted with it?

Officer.—That's another affair—it is enough for you that I know it (and then recited the particulars of the plan).

by the timid submission of the Madras government, so the indications of a bolder policy led to different

F.—It is too true, and I have arranged with Captain Scott, but I am not at liberty to tell you the particular time.

Officer.—Then you may proceed, if you choose, to the commissioners, and report to them, as the sequel of your arrangement, that I am here to obey all their lawful orders, but also to do my duty to the troops committed to my protection. If there be any embarkation, I hope to see the last private into the boats; but my sentinels have orders to give me precise information, and I have a party saddled in the lines ready to seize as a deserter any and every person who shall attempt a clandestine escape.

"The surgeon departed, and shortly afterwards the officer commanding the escort was sent for, and privately assured by the second commissioner that there was no intention of effecting an escape, or of any person going on board ship."—Wilks' Sketches, vol. ii. pages 515—517.

Such is the account given by Colonel Wilks, on the authority of a distinguished officer who was on the spot at the time when the alleged facts occurred, and who believed himself to have been the instrument of defeating the design of escape. It is proper, however, to add, that the accuracy of the report has been impugned by one of the parties affected by it. Mr. Hudleston, after retiring from service in India, had attained the office of a director of the East-India Company. The statement of Colonel Wilks excited considerable attention among those taking an interest in Indian affairs, which was extended even beyond that circle by the pointed notice taken of the subject in one of the leading reviews. At a general court of the Proprietors of the East-India Company, held on the 18th of March, 1818, Mr. Hume referred to the charge, and expressed a hope that Mr. Hudleston would be able to repel it. Mr. Hudleston was not then an actual member of the Court of Directors, the discussion having occurred during his quadrennial year of exclusion from office, under the provisions of the law; but the annual election was approaching, and it had been alleged that, if he could not rebut the charge, he was unfit to be re-elected. To meet the immediate danger, Mr. Hudleston, in general court, publicly denied the truth of the charge, and promised to prepare, in due time, a detailed refutation. Before this was completed, a

CHAP. XI. A.D. 1784.

results. On the 11th of May the long pending treaty was signed. It was based on the principle of

letter from Sir Thomas Dallas appeared in the Asiatic Journal (May, 1818), avowing himself to be the informant of Colonel Wilks, and repeating the statement contained in the History. At a general court, held on the 17th June, Mr. Hudleston's defence, which had been transmitted to the Court of Directors about a fortnight before, was read. It was of extraordinary length, but the principal points of defence were the following. To shew the improbability of the story told to Sir Thomas Dallas by his native servant, Mr. Hudleston stated that the only tent in which the servant could have been interpreting, or the commissioners negotiating, was Tippoo Sultan's public durbar tent, and he argued that this was not a place to prepare a secret plot. He represented the improbability of the first commissioner, Mr. Sadleir, being kept in ignorance of such a plot if it had existed, and referred to a letter addressed to Captain Scott, commander of a ship in the Mangalore Roads, which was signed by the first commissioner; which letter adverted to a signal to be made on shore, for a purpose widely different from an escape of the commissioners, but which, it appeared, General Macleod, who had become acquainted with the report of an intended escape, had supposed to refer to such a design. Although it had been stated that the plan was a matter of general conversation at Madras, Mr. Hudleston denied that he had ever heard of it. In addition to these points, Mr. Hudleston diverged into many others little connected with the main charge. He defended the peace which had been negotiated by the commissioners, affirmed that he and his colleagues had been treated by Tippoo Sultan with great courtesy, and revived an explanation, which had been given many years before, of the erection of the gibbets, which, he said, were raised not to strike terror into the commissioners, but for the use of some rebellious subjects of Tippoo Sultan, who had thereon expiated their crimes. On the 16th of December the subject came once more under the notice of the general court, and a vote of continued confidence in Mr. Hudleston was passed unanimously, he having, in April, been re-elected a director without opposition. But the discussions in the courts of the East-India Company formed only a portion of the controversy. Sir Thomas Dallas published a second letter in

a restitution of conquests, but no compensation was obtained for the atrocious treatment of the English CHAP. XI.

the Asiatic Journal for October, 1818, in which he claimed to have exercised "much thankless forbearance," and complained of Mr. Hudleston's "unaccountable want of memory on some points, his minute and diffuse recollections on others, and the strange licence he had given to his pen." In this letter, Sir Thomas Dallas denied that all the negotiations of the commissioners took place in Tippoo Sultan's tent; and affirmed (on the authority of General Macalister, lieutenant and adjutant of the escort, as well as on his own), that they were usually carried on either in another tent, in Tippoo Sultan's camp, or in the public tent of the commissioners. He defended the character of his native servant, and shewed how his statement was corroborated by Sir Thomas Dallas's subsequent conversation with Mr. Falconer: he quoted the testimony of Colonel Bruce that he had heard several times from Mr. Collins Jackson, secretary to the commissioners, a statement corresponding, to the best of his recollection, with that of Colonel Wilks; and he referred to a work, entitled "Memoirs of the War in Asia," first published in 1788, and passing through a second edition in the succeeding year, in which the following passage occurred: "The commissioners, now apprehensive of falling, like so many of their countrymen at Bidenen, by poison, formed a project to leave their numerous train behind them, and make their escape to Tellicherry. The project miscarried, and they continued in the state of imprisoned men, labouring for their own extrication from imminent danger." Colonel Wilks also published a letter, in which, among other statements, he alleged that, before the publication of his history, he had endeavoured to obtain an interview with Mr. Hudleston, with a view to procure information on various points, but in vain, Mr. Hudleston declining on account of his want of memory, and referring him to another person. Finally, Mr. Hudleston addressed to the editor of the Asiatic Journal (December, 1818) a letter, occupying thirteen closely printed pages, in small type, in which he maintains that the negotiations were always conducted in Tippoo Sultan's tent, with the *ministers* of that prince, but states that certain communications were interchanged with persons called *vakeels*, in other places; and he affirms that he was ignorant of the passage quoted from the

CHAP. XI. prisoners by Tippoo Sultan. Hyder Ali had treated them with a cruelty which manifested an utter disregard to the preservation of their lives: Tippoo Sultan did not hesitate to employ direct means to deprive them of existence. Captain Rumley, who led the charge against Tippoo's guns on the fatal day of Colonel Baillie's defeat; Lieutenant Fraser, one of that officer's staff; Lieutenant Sampson, a gallant officer, whose name is yet remembered among the Mahrattas; General Mathews, and many of the officers taken at Bednore; all perished in captivity, and not from natural causes. But the British govern-

" Memoirs of the War in Asia," and even of the existence of such a work. So diffuse are the papers which this controversy called forth, that it is impossible to present even a complete abstract of their contents, without occupying a space altogether disproportioned to the importance of the subject. Those who desire to enter minutely into the subject, will find all the documents in the Asiatic Journal, vols. v., vi., and vii. Stripped of the *verbiage* in which the matter is involved, the leading points appear to be these :—A native servant informs his master, Sir Thomas Dallas, that he has learned that two persons, Mr. Staunton and Mr. Hudleston, meditated a certain act; and that a third, Mr. Falconer, the surgeon, is confidentially employed in assisting them. Sir Thomas Dallas relates this to Mr. Falconer, who admits it to be true; and the truth of the statement is further confirmed by one of the other parties. Mr. Staunton subsequently sending for Sir Thomas Dallas, and without any inquiry as to the origin of this officer's extraordinary suspicions, or any preparation for so extraordinary an assurance, informs him that the commissioners did not contemplate escape or removal, for it appears uncertain which word was used. Such is the case for Colonel Wilks and his informant. On the other side is the solemn declaration of Mr. Hudleston, that no such step as that charged upon the commissioners was even thought of. The reader must decide the question for himself.

ment were too eager for peace to inquire rigidly into such matters, and too weak to protract hostilities in the hope of avenging them. CHAP. XI.

Between the governor-general and Lord Macartney there had never been much cordiality of feeling, and the difficulties in which the government of Madras was placed tended to multiply the points of difference. The governor-general had a plan for surrendering to the Nizam the northern circars, in consideration of a body of cavalry to be furnished by that prince. This was opposed by Lord Macartney, and was never carried into effect. Lord Macartney had, with much difficulty, obtained from the Nabob of Arcot an assignment of the revenues of the Carnatic for the support of the war. This was disapproved by the government of Bengal, and the assignment ordered to be rescinded. Before these orders were received at Madras, orders of a contrary character arrived from the Court of Directors. The government of Bengal, however, stubbornly refused to yield, and Lord Macartney was equally immovable. The treaty with Tippoo Sultan afforded other grounds of difference. It was disapproved by the government of Bengal, among other reasons, because it did not include the Nabob of Arcot; and a new ratification, declaring it to extend to that personage, was directed to take place. Lord Macartney again resisted; and had the governor-general possessed confidence in the stability of his own authority, some violent measures might have resulted from these disputes. But Hastings was now totter-

CHAP. XI. ing in his seat—heavy charges were in circulation against him in England, and he had dispatched an agent thither for the defence of his character and interests.* The influence of Lord Macartney at home appeared to be rising as that of Hastings was declining; he continued to exercise his authority without impediment, until, in consequence chiefly of the revocation of the orders of the Court of Directors relating to the assignment from Mahomet Ali, he voluntarily relinquished it, and was ultimately appointed to succeed to the office of governor-general.

* Major Scott.

CHAPTER XII.

IT is now necessary to return to the affairs of Bengal, for the purpose of adverting to some important acts of Hastings's government not hitherto noticed.

During the war waged with Meer Cossim and the Vizier of Oude, the English had received some support from the Rajah of Benares, named Bulwunt Singh. His conduct had been sometimes regarded with suspicion; but, on the whole, it had afforded so much satisfaction, that it was deemed right to secure his peaceful possession of the country which he administered by a special provision in the treaty concluded with the vizier. On the death of Bulwunt Singh, the British government again interfered to procure a continuance of the zemindary to his son, Cheyt Singh, and this object was effected, the young rajah being subjected to the charge of a considerable present to the vizier, and a small increase of his annual tribute. On these conditions, the vizier granted sunnuds confirming Cheyt Singh in the rights exercised by his father. Subsequently, by virtue of a treaty concluded between the East-India Company and Azoff-al-Dowlah, the territories administered by Cheyt Singh passed into the hands of the

CHAP. XII. former authority.* New sunnuds were granted to Cheyt Singh by the British government, confirming him in the exercise of the powers and rights which he had previously held under the Soubahdar of Oude, subject to the payment of the same amount of tribute, and to an additional sum of about ninety thousand rupees levied under the title of nuzzerana.

When the war with France rendered it necessary for the Company's government to make additional preparations for defence, it was determined to call upon Cheyt Sing to contribute to the object, and he was required to consent to the establishment of three battalions of sepoys, to be raised and maintained at his expense. The rajah did not object, and his vakeel at Calcutta proposed that the amount of the annual charge should be fixed at three lacs of rupees. This was deemed insufficient by the British authorities, who determined that the sum of five lacs was not excessive, and required that it should be paid without delay. The rajah, in conformity with the usual practice of oriental debtors, endeavoured to procrastinate, and the English resident was directed to assume a threatening tone; but, ultimately, that sum was paid as the first year's subsidy.

The second year brought a fresh demand from the British government, and fresh evasions on the part of the rajah. After many attempts to elude payment altogether, he furnished part of the required sum, but declared himself unable to complete it.

* See page 66.

His inability was not removed until two battalions had been put in motion against him. He then paid the balance of the subsidy, as well as the military expenses incurred by his resistance. The proceedings of the third year differed little from those of the second. After the ordinary delays, a military force was ordered to advance, but the timely submission of the rajah rendered their presence unnecessary. In addition to the subsidy, the British government now demanded from Cheyt Singh the assistance of a body of cavalry, to be continued during the war. The rajah did not comply, and fresh cause of irritation was thus created. Shortly afterwards the time arrived for demanding the fourth year's subsidy. It was reported and believed, that the rajah had inherited great wealth from his father, which he had secured in two strong fortresses, and to which he continued to make yearly additions. To these accumulations the eye of the governor-general was directed for a twofold purpose. He deemed the conduct of the rajah contumacious and disaffected, and on these grounds deserving of punishment. The punishment of the rajah might conveniently be combined with the relief of the necessities of the British government by the infliction of a large pecuniary fine; and this plan he resolved to adopt. Having secured the consent of his coadjutors, he departed on a journey to Benares. At Buxar he was met by Cheyt Singh, with a large fleet of boats. Several interviews took place between the governor-general and the rajah, at one of which

CHAP. XII. the latter placed his turban on Hastings's lap. The governor-general, however, continued to prosecute his journey to Benares, at which place he arrived on
A.D. 1781. the 14th of August. Here he declined personal conference with the rajah, but dispatched a letter to him, stating at length the grounds of the dissatisfaction of the British government, and requiring an answer. The answer, as must have been expected, was unsatisfactory, and Hastings chose to regard it as offensive. His next measure was a strong one. He ordered the British resident, Mr. Markham, to proceed to the house of the rajah, and put him under arrest. The resident executed the order without difficulty, the rajah calmly submitting.

While the governor-general was preparing to carry out the design to which the seizure of the rajah's person was preliminary, he was informed that large bodies of armed men had arrived from Ramnaghur, and had proceeded to the rajah's house. The guard placed over the rajah consisted of two companies of grenadier sepoys, who were stationed in an enclosed square which surrounded the rajah's apartments. By some extraordinary neglect these troops had been sent without ammunition. To supply the want, another company of sepoys was subsequently dispatched, but on their arrival they found their passage disputed by a multitude of armed men, who had surrounded the house and blockaded all the avenues. The British party were thus unable to advance to the succour of the troops in the square, who were attacked by the rajah's men, and, being

unprovided with the means of resistance, were speedily cut to pieces. In the confusion, the rajah left the house by a wicket which opened to the river, and by means of turbans tied together, descended the steep bank to a boat, which was waiting to convey him to the opposite shore. Those to whom he owed his escape followed him; and the company of British sepoys, who had arrived too late to aid their companions, took possession of the place where they had been slaughtered. The departure of Cheyt Singh's men in the train of their master delivered the governor-general and his attendants from apprehensions which it was by no means unreasonable to entertain. Had they proceeded to the governor-general's quarters, he, and every Englishman with him, must have fallen an easy prey. This catastrophe was averted, and the escape is probably to be attributed to the irregularity and disorder which marked the entire proceedings ending in the rescue of the rajah.

Hastings now found himself involved unexpectedly in actual warfare. An attack was planned upon Ramnaghur, one of the principal strongholds of the rajah. This failed through the perversity of the commander of a detachment, who, by a premature and ill-judged movement, brought his party into a situation where, in the language of Hastings, they were "annihilated rather than defeated." In the mean time Hastings became alarmed for his own position, which there was reason to believe was intended to be attacked. The opinion of a council of

CHAP. XII. officers coincided with that of the governor-general, that retreat was desirable, and the party in consequence moved to Chunarghur. The rajah continued to solicit peace, but Hastings did not condescend even to answer his communications.

At Chunarghur, however, he continued to be dreadfully distressed for money and provisions. Supplies and reinforcements at length arrived, and after some minor successes, it was resolved to attack the fortresses of Cheyt Singh. Pateeta was taken by Major Popham by storm; and on the same day Major Crabb defeated a party who endeavoured to intercept his advance to the pass of Sackroot, on which an attempt was to be made simultaneously with the attack on Pateeta.

Cheyt Singh had not expected that the English would venture to attack him, and the concurrent success of Major Popham and Major Crabb filled him with alarm. He fled in the direction of Bidzeghur, where a principal part of his treasure was deposited, and thither he was pursued by Major Popham. In the mean time the governor-general returned to Benares, to make arrangements for the administration of the country, a duty which it was declared Cheyt Singh had forfeited the right to perform. The zemindary was bestowed on the son of a daughter of Bulwunt Singh. His age was nineteen, and it might have been presumed that he would have been held competent to exercise the duties of his office in person. But from some cause which does not appear, this did not meet the views

of the governor-general, and the [illegible] of the country was committed to [illegible] actual management new zemindar, under the title of N[illegible]he father of the porary with these arrangements, the ann[illegible]ib. Contem- from the zemindar to the Company was [illegible]al payment ably raised. [illegible]onsider-

Major Popham advanced towards Bidzeghur, on his approach Cheyt Singh withdrew, taking wit[illegible]nd him as much wealth as he could secure. His wife and mother remained, and in their names the fortress was defended with considerable resolution. A surrender was proposed, on condition of securing to the widow of Bulwunt Singh the possession of her property and the administration of a specified pergunnah. The latter condition was obviously objectionable; and as the Ranee claimed all the property within the place, alleging that her son had carried away all that belonged to him, compliance with the former would have left the captors nothing but the barren possession of the fortress. The conditions were accordingly refused, under the orders of the governor-general, and the place finally surrendered on the single stipulation of personal protection to the prisoners. Some treasure, though far less than was expected, was found within the fortress; but no part of it was destined to recruit the Company's exhausted treasury. It was seized and appropriated by the military as prize. Major Popham, it is said, was not disposed to approve of this act, but he was overawed by the clamour of his officers. This was a serious disappointment to Hastings. He had calcu-

CHAP. XII. lated on raising a large sum by way of fine on Cheyt Singh—the resistance offered on behalf of the zemindar had rendered it necessary to incur expense in military operations, and when a portion of treasure was secured, it was diverted to private benefit, the finances of government being burdened instead of relieved by the operations in Benares. Foiled in the principal object of his visit to Benares, the governor-general sought to obtain an advance from the officers by way of loan for the use of government; but those who had so promptly seized the spoil were too careful to place any part of it in danger.

Bidzeghur was not taken by assault, and it may appear difficult to determine the grounds upon which the appropriation of the treasure took place. The main one probably was, that those who made it had the power of advancing their own interests, with very slight chance of an after-reckoning—and that at a very remote period of time, if it should ever occur. It was alleged, too, that the extraordinary despatch manifested on this occasion was caused by a disappointment to which the officers had been subjected with regard to prize-money in the Rohilla war. Another ground of justification was the presumed authority of Hastings himself. When the proposal to surrender Bidzeghur, on conditions, was communicated by Major Popham to the governor-general, the latter answered in a manner which it is difficult to reconcile with the object of the proceedings against Cheyt Singh. "With respect to the booty," he said, "this is rather your consideration than

mine. I should be very sorry that your officers and soldiers lost any part of the reward to which they are so well entitled." That such language should have been held under such circumstances would be incredible, were the fact not attested in a manner that leaves it beyond dispute. It remains then to find, if possible, a solution of the difficulty. Did Hastings really intend that the army should enjoy the treasure found in Bidzeghur? "It seems," as has justly been said, "ridiculous in the extreme to suppose, that the head and representative of a government, which stood upon the brink of bankruptcy, should have meditated a proceeding so suicidal."* Did the governor-general then express himself hastily and unguardedly? At such a time—on such a subject—in answer to a reference of such weighty importance, it is impossible to believe this. There is one other mode of accounting for Hastings's language—it is by ascribing it to a desire to stimulate the zeal of the military employed before Bidzeghur by the prospect of reward, of which, at a future time, Hastings could determine the amount, and even adjudicate on the validity of the claim. Unfortunately, Hastings's character for candour does not stand sufficiently high to ensure the rejection of this supposition.

The conduct of Hastings, with regard to Cheyt Singh, drew upon him abundant and severe censure, and it furnished part of the matter of his subsequent impeachment. In judging of it, the first

* Gleig's Memoirs of Hastings, vol. ii. page 417.

CHAP. XII. point for consideration is, the justice of demanding from Cheyt Singh any contribution towards the service of the English government beyond the rent or tribute secured by the original contract between the parties. Both sides of the question may be supported by plausible arguments. On the one hand, it has been alleged that, if such a demand were allowable, a person in the situation of Cheyt Singh would possess no security for the enjoyment of any part of the property which he held under the solemn recognition of a superior authority—that if five lacs of rupees might be demanded under extraordinary circumstances, so might fifty, and that thus the entire profits of the dependant might be alienated to the chief. This, however, is an argument resting for its validity upon a presumed abuse of power. In the same manner, the right of any government to tax its subjects might be questioned, because this right may be exercised to the purposes of oppression and ruin. If any right existed in the government of Bengal to demand extraordinary aid from the rajah of Benares, it must be taken with the correlative obligation of exercising it with reason and with a due regard to the rajah's ability. The supreme authority in every state has a right to raise money for the public service, and to restrain crime by punishment; but it would be an abuse of language to say that any power can have a right to levy undue exactions or to inflict unjust punishment.

In support of the claim of the Bengal govern-

ment, it may be argued, that the annual contribution rendered by Cheyt Singh could be regarded as a complete satisfaction of the claims of the state of which he was a dependant only in ordinary times. The British government were involved in expensive wars: on what ground could any portion of the British territories in India claim to be exempted from the burden of contributing to the expenses occasioned by those wars? The districts governed by Cheyt Singh were clearly British territory—they had been formally ceded to the Company by the vizier. It is quite certain that, if that prince had retained them, he would have felt little delicacy in requiring, in case of emergency, extraordinary assistance from the rajah of Benares to the extent of his ability, or something beyond it. The English took the same rights which had been exercised by the vizier, and their sovereignty was asserted by the grant of fresh sunnuds to the rajah, and recognised by his acceptance of them. As a subject, for such in truth he was, it was his duty to contribute to the general defence of the state. Hastings called upon him so to contribute, and notwithstanding the obloquy which he thereby incurred, at a time when men seemed incapable of bringing to the discussion of questions of Indian policy any portion of the calmness essential to the discovery of truth, it appears probable that the cooler judgment of posterity will not regard this as among the reprehensible acts of Hastings's administration. If the right to require assistance be conceded, the amount demanded does not

CHAP. XII. appear unreasonable; and though Cheyt Singh complained bitterly, his complaints may fairly be ascribed to the ordinary habit of the East, of postponing to the latest moment all payments, however just or reasonable, and, if possible, of evading them altogether.

In regard to the demand for cavalry, the conduct of the rajah was of a similar character, and can scarcely be ascribed to any cause but a disaffection to the British government. It had been recommended that he should constantly keep two thousand cavalry, but this was not obligatory. What number he actually had it is not possible to ascertain, but it is certain that he had some; and though, after many evasions, he offered to furnish a few, he contented himself with merely offering—he sent none. That such conduct should excite indignation is not surprising; and reference being had to the relation in which the rajah stood to the British government, it would be difficult to shew the injustice of visiting his contumacy with a reasonable pecuniary fine. Hastings had resolved to inflict a very large one; his views extended to forty or fifty lacs of rupees: an amount certainly disproportioned to the rajah's offences, and the payment of which must, in all probability, have totally impoverished him. It cannot be questioned that, in determining the amount, the governor-general appears to have been influenced far more by a regard to the interests of the Company's treasury than to the just apportionment of merited punishment.

In the measures taken towards the enforcement of this claim, Hastings, too, seems to have acted with undue violence. His course was probably dictated by the extravagant amount of the demand which he had determined to make: it must have been quite certain that the rajah would not yield without force, and Hastings went to Benares prepared to have recourse to that last resort for the settlement of differences. He contemplated either the deprivation of Cheyt Singh of his zemindary, or the seizure of the forts in which the rajah's treasure was deposited, with a view to the forcible appropriation of a sufficient portion to meet the fine. The preliminary step was, as has been seen, to place Cheyt Singh in arrest. In any part of the world such a proceeding would, under the circumstances, have been thought harsh and oppressive. In India, the subjection of the person of a man of rank to restraint, is felt as an indignity of the grossest character. It provoked resistance; and had the advantage gained by the rajah's party been improved, the governor-general and Cheyt Singh might have changed places. The want of spirit, or the want of judgment, in the rajah's supporters, saved Hastings from captivity or from death, and secured him the means of inflicting vengeance on his enemy. That vengeance was both summary and complete; but this was all that the governor-general gained by his visit to Benares. The treasure which he had anticipated was diverted from public to private purposes by the men who were the instruments for executing Hast-

CHAP. XII. ings's plans, and the main object of those plans was thus frustrated.

The spirit which Hastings manifested towards Cheyt Singh was so intensely bitter, as almost to force an inquiry whether the public delinquency of this man could be the sole cause of the governor-general's hatred. This is a question which could not have been satisfactorily answered had not Hastings himself afforded the means. In enumerating the crimes of the rajah, Hastings accuses him of having entertained an intention to revolt. "This design," says he, "had been greatly favoured by the unhappy divisions of our government, in which he presumed to take an open part. It is a fact, that when these had proceeded to an extremity bordering on civil violence, by an attempt to wrest from me my authority, in the month of June, 1777, he had deputed a man named Sumboonaut, with an express commission to my opponent, and the man had proceeded as far as Moorshedabad, when, hearing of the change of affairs which had taken place at the presidency, he stopped, and the rajah recalled him."* Here, then, is the key, furnished by Hastings himself, to the feelings under which he carried on his proceedings against Cheyt Singh. While the contest between himself and General Clavering was raging,

* Hastings's Narrative, printed in the Appendix to the Supplement to the Second Report of the Select Committee of the House of Commons on the Administration of Justice in India, 1782; and also in the Minutes of Evidence on the Trial of Hastings, vol. i.

the presumptuous rajah had ventured to dispatch a messenger to the opponent of the man who was eventually to be master of his fortunes. For four years the hatred engendered by this act had burned in Hastings's heart, when an opportunity occurred for gratifying at once the claims of public justice and of private revenge. Such an opportunity Hastings was not the man to pass by. It is not necessary to ascribe the whole of his proceedings with regard to Cheyt Singh to personal hatred. Independently of this feeling, he would probably have called upon the rajah for assistance towards carrying on the war, and he would have been justified; he would probably have visited his numerous failures with some punishment; and in this, too, he would have been justified: but in the absence of the dark passion which had so long rankled in his breast, he would have proceeded with more calmness, more dignity, and more regard to the courtesy which the rank and position of the zemindar demanded. To humble to the dust the man who had offended him was a triumph which it was not in the nature of Hastings to forego, when circumstances threw in his way the opportunity of enjoying it. He set his foot on the neck of his enemy, and was happy.

With the explanation afforded by himself, the conduct of Hastings towards Cheyt Singh appears perfectly in accordance with his general character; but the indiscreet revelation of his feelings is remarkable, as being in striking opposition to that character. Disguise seemed to be natural to him.

CHAP. XII. On all occasions he surrounded himself and his motives with mystery. Here is a striking exception. A degree of frankness, which few men in such a case would have manifested, for once marks a communication from Warren Hastings. How is this to be accounted for? By the strength of the passion which had waited years for gratification, and by the overwhelming sensation of triumph consequent on gratification when attained. Powerful must these feelings have been to overcome the caution of a man with whom concealment was not so much a habit as an instinct; which could induce him for once to lift the veil which on no other occasion was ever removed; which could lead him, unabashed and undismayed, to expose to the public eye motives and feelings of which the suggestions of the most ordinary prudence would have dictated the concealment —and this, too, at a time when, under the avowed consciousness that some parts of his proceedings required explanation, and under the humiliating sense of disappointment at the failure of his financial speculations, he was seeking to disarm hostility by apology!

In carrying on the review of Hastings's conduct through the remarkable transactions in Benares, it is pleasing to be able to pass from one portion of it, which certainly reflects no honour on him, to another, where it would be a breach of justice to withhold the meed of praise. For a time Hastings was in imminent danger, and no man under such circumstances could have displayed greater intrepidity.

His attention was never diverted from public business to personal safety; and surrounded by sources of alarm, he continued, as far as was practicable, to carry on the correspondence of government, not only with regard to the affairs of Benares, but to distant objects —to the negotiations with the Mahrattas and other important affairs. He could not fail to be anxious, even on public grounds, to be relieved from his perilous position; but the consciousness of it neither distracted his thoughts nor impaired his judgment. When at Chunarghur, in hourly expectation of an attack from the enemy, he seems to have discharged his duties with as much coolness and self-possession as if he had been in the council-room at Calcutta. This trait of character has been thought to merit some especial notice, inasmuch as Hastings had not enjoyed the advantage of a military education. Much of the calmness displayed by military men, under circumstances calculated to excite or distract the mind, is, without doubt, to be attributed to the effects of habit and discipline. Hastings seems to have inherited from nature this valuable gift, and at no part of his life did he manifest it more eminently than when surrounded by the difficulties in which his visit to Benares had involved him.

The punishment of the zemindar of Benares was not the only, nor indeed the principal, object of Hastings's visit in that quarter. He was to proceed from thence to Oude, the affairs of which country were in a most distracted state. The vizier had pro-

CHAP. XII. posed to meet Hastings at Benares; but the unexpected occurrences which had taken place rendered Hastings reluctant to receive him there, and a letter was dispatched to the vizier dissuading his advance. The vizier, however, persisted in coming to meet the governor-general, who had thus no resource but to receive him with a good grace. The result of the visit was the conclusion of a new treaty between the Company's government and the vizier. Before noticing its provisions, it will be proper to advert to a fact connected with the negotiation, not in itself very remarkable, but rendered of importance by the extraordinary conduct of Hastings in relation to it. In the East, presents are indispensable auxiliaries of negotiation, and at the period under review the natives had little reason to expect that European diplomatists would manifest any objection to conforming in this respect to the custom of the country. The vizier was in a state of the greatest pecuniary embarrassment, but this did not prevent an offer to the governor-general of a sum amounting to ten lacs of rupees, as a private present. Hastings took the money, and applied it to the public service. Thus far, therefore, he may be thought not deserving of great blame, although it cannot be denied that, for his own honour and that of his country, it would have been far better that he should have refused to accept of any thing offered as a private advantage to himself, and which the donor could not fail to believe was to be so applied. This was, indeed, not the first transaction

of the kind in which he had been involved. On one occasion Cheyt Singh had tendered a small sum, as a private mark of his respect for the governor-general, which was accepted. This, too, was applied to public purposes; but, at the same time, it afforded opportunity for the employment of a series of disguises and misrepresentations on the part of Hastings, for which, as the money was employed properly, though obtained dishonourably, it is difficult to find a motive, except in the governor-general's unconquerable love of mystery.

Hastings has been accused of intending to appropriate it to himself, but the evidence does not sustain the charge. The gift of the vizier, however, he certainly destined to his personal benefit, and, in this instance, he entered on the purpose which he had in view in a manner far more direct than was usual with him. He did not advise the Court of Directors of the transaction until four months after it had taken place. A part of the sum only had then been paid, for the vizier's treasury did not overflow with money: for the remainder, bills had been given, the amount of which was eventually realized, though tardily, and with difficulty. Having stated the fact to the Court, and promised to render a faithful account, Hastings, without any preparation, or the suggestion of any reasons in support of the request, coolly added, "If you shall adjudge the deposit to me, I shall consider it the most honourable approbation and reward of my labours, and I wish to owe my fortune to your bounty." The gift

CHAP. XII. of a hundred thousand pounds has not often been asked with so little ceremony.* The application was not complied with.

* The recently published memoirs of Hastings contain a letter addressed by the governor-general to Major Scott, his agent in England, enclosing a copy of that which he had dispatched to the Court of Directors, claiming the personal benefit of the vizier's bounty. In this letter Hastings says, "I am neither a prude nor a hypocrite. Had I succeeded as I had reason to expect in the original objects of my expedition, I should have thought it, perhaps, allowable to make some provision for myself when I had filled the Company's treasury; but I am disappointed. I have added, indeed, a large income to the Company's revenue, and if Mr. Middleton [resident at Lucknow] does his duty, I have provided for the early payment of the debt due from the Nabob Vizier to the Company. But these are not acquisitions of *éclat*. Their immediate influence is not felt, and will not be known at all till long after the receipt of these dispatches. It will be known that our receipts from Benares were suspended for three months, and during as long a time at Lucknow. It will be known that the pay and charges of the temporary brigade have been thrown upon the Company, and that all the Nabob's pensioners have been withdrawn; but the effect of my more useful arrangement, thanks to Mr. Middleton, yet remains to be accomplished. I return to an empty treasury, which I left empty. I will not suffer it to be said, that I took more care of my own interests than of the public, nor that I made a sacrifice of the latter to the former."—Vol. ii., page 458. It is difficult to understand the boast with which the passage just quoted concludes. In asking for a present of a hundred thousand pounds, Hastings had certainly manifested some regard to his own interests, and, as he states that the public treasury was empty, the time chosen for preferring the request appears, to say the least, injudicious. It is equally difficult to understand what he means by saying, that if he had "succeeded as he had reason to expect," he "should have thought it, perhaps, allowable to make some provision for himself, when he had filled the Company's treasury." How would he have made it? Did he mean, that success would have justified him in accepting pre-

The visit of the vizier to Hastings was, however, productive of more important results than the trans-

sents, and applying them to his private use? He knew that this was unlawful. He could not mean, that with better success he would have asked something from the gratitude of the Court of Directors, for he had done this under the circumstances which he deplores. Had he succeeded better, he perhaps would have asked more; and if this be his meaning, it might be a curious matter of speculation to consider how much more. If he thought a hundred thousand pounds a reasonable remuneration of partial failure, how much would he have claimed as the reward of complete success?

The passage above quoted from the letter to Major Scott forms a curious subject of comparison with the following, which is to be found in Hastings' Narrative of his proceedings at Benares. "Possibly it may be suspected—and may God forgive those who know me and countenance the suspicion—I have no title to an exemption from it with others, that I was influenced by a secret and mercenary interest." The particular mode of promoting such interest from which Hastings proceeds to vindicate himself—that of holding out threats to extort some private advantage, without reference to public interests, is not chargeable upon him; but as it appears, from his own testimony, that had he not met with disappointments, one of those disappointments being undoubtedly the failure to secure the treasures of Cheyt Singh, he might have sought "some provision for himself,"—some provision, it must be presumed, of larger amount than a hundred thousand pounds, the disclaimer of all mercenary interest might have been made with less energy, and the solemn invocation of the Deity have been spared.

Hastings felt that his application for the allotment of the ten lacs to himself was not likely to pass as an ordinary request, which being granted or refused, the matter would be at an end. He commences the letter to Major Scott, already quoted, by saying, "I have written a letter to the Secret Committee of the Court of Directors, which will be thought extraordinary; indiscreet by my friends, and presumptuous by my enemies;—at least they will affect to think so:" and, in contemplation of a refusal, he concludes by saying, "only prevent, if you can, the refusal

CHAP. XII. fer of ten lacs of rupees from that prince to the Company, or their governor-general. A new treaty

being accompanied by abuse." Conscious that his application was not likely to find favour, either with friends or foes—anticipating that its refusal might be accompanied by abuse, it seems strange that he should have preferred it. Why the passion of the governor-general for a fortune should, at this particular time, have raged with more than fever heat; why the rupees of the Vizier of Oude should thus, beyond all other rupees, have captivated his love; why his desire to appropriate them should have been so violent as to break down all the mounds of caution and concealment within which he usually intrenched himself, no one seems to have been able to conjecture. But, if his prudence failed him, his sagacity was not at fault. Precisely those results which he predicted followed. By his enemies the request was regarded as "presumptuous;" by his friends as "indiscreet." His biographer, after relating the offer of the vizier, and its acceptance by Hastings, thus continues: "but he committed, at the same time, the only act, throughout the whole of his political career, of which it is impossible to deny that it was, at least, injudicious. He communicated to the Court of Directors the fact of the present having been made, and while he set forth his mode of applying it to the public service, he hazarded a request that, by the court, it might be given back, as a token of their approval of his conduct. What can I say about this? It was clearly not the act of a dishonest man, for such a one would have pocketed the money without so much as alluding to it in his communications with the India House. It was not the act of a mercenary man, for Hastings's character was the reverse of mercenary. It could not be the result of weakness, for of weakness no one will accuse him. And what is more extraordinary still, it was a proceeding of which, almost to his dying day, he used to speak as if there could be but one opinion respecting both the justice of the claim and the hardship of having it rejected. I am inclined to think, therefore, that he must have entertained on the subject views peculiar to himself, of which, never having heard them discussed, I can give no account."—Gleig's Memoirs, vol. ii. p. 457. It is quite evident that Hastings's views on the subject were peculiar to himself, since no one else entertained them, and the biographer

was concluded between the British government and the ruler of Oude, one main object of which was to relieve the latter from burdens which he declared himself unable to bear. His stipulated payments to the Company had fallen greatly into arrear; the maintenance of the British troops in Oude was thrown upon the government to which they belonged; and though the charge was regularly carried to the account of the vizier, there seemed little or no prospect of the respective entries ever being neutralized by a record of corresponding payments on the opposite page. Under these circumstances, the continuance of the British force in Oude to its existing extent was, not without reason, regarded by Hastings as desirable for neither party; the British government making an outlay which it

might, therefore, safely have expressed himself with less hesitation. With regard to the cases supposed by him, for the sake of being refuted, it may be observed, on the first, that to pocket the money without notice might not have been altogether safe. Hastings may certainly be acquitted of dishonesty in making the request, for there is nothing dishonest in simply asking for any thing, however extravagant and unseasonable the request may be; but to say that the act was not that of a mercenary man, because Hastings was not mercenary, nor the result of weakness, because he was not weak, is, in each case, palpably begging the question. To these suppositions, however, another might have been added. Was the act, which the friends of Hastings can neither account for nor excuse, that of a desperate man? of one who discerned in the horizon the elements of a storm, which might be fatal to his power, and who, in the hope of alleviating the evils of his fall by the comforts of wealth, ventured one reckless cast for its attainment, with but little hope, indeed, of winning, but with the conviction that he could lose nothing—except character?

CHAP. XII. could ill afford; the vizier adding to a debt, already large, which there was but little probability of being speedily reduced. It was, therefore, provided by the new treaty, that a portion of the British force should be withdrawn. Other reasons were assigned by the governor-general in justification of this part of the treaty. He alleged, and most probably with truth, that the distance at which the troops were placed from the government to which they were responsible exempted the officers from due control, afforded opportunity for unwarrantable emoluments, and diffused the contagion of peculation and rapacity throughout the army. Further, he represented that the number of British officers, civil and military, at the court and in the service of the vizier, their vast influence and enormous emoluments, were not only injurious to the revenue and authority of the prince, but exposed the British nation and government to the envy and resentment of the people of the country, by excluding the vizier's native servants and adherents from honours and rewards to which they might reasonably aspire. In proof of the purity of his motives in consenting to a reduction, Hastings appealed to the facts that he was thereby diminishing the patronage of himself and his colleagues, and incurring the resentment of those injuriously affected by the arrangements, as well as of their long train of friends and connections.

The second article of the treaty, after reciting that great distress had arisen to the vizier from the mili-

tary power and dominion assumed by the jagheerdars, provided that the vizier should be at liberty to resume such jaghires as he might find necessary, with a reserve that, in all cases where the Company was guarantee, the amount of the net collection should, on the resumption of the lands, be paid in ready money to the dispossessed jagheerdar, through the British resident.

The third article related to Fyzoola Khan. This was the chief whose protracted resistance had for some time deferred the final termination of the Rohilla war.* More fortunate than some of his companions in arms, he obtained by treaty the grant of certain districts of considerable value, binding himself, in return, to retain in his service not more than five thousand troops, and in time of war to assist the vizier with two or three thousand, according to his ability. To this treaty Fyzoola Khan was very anxious to obtain the guarantee of the British government, and he finally succeeded. On the breaking out of the French war, the English sought assistance from Fyzoola Khan. Some was afforded, but not enough to meet their necessities or wishes, and the vizier was requested to demand from Fyzoola Khan the aid of five thousand horse. The answer of the chief was to the effect that his force consisted of only two thousand horse and three thousand foot; that the former were at the service of the British government, and that part of them were actually so employed; but that the three

* See page 47.

CHAP. XII. thousand foot were wanted at home, and that without them the collections could not be made. The governor-general thought fit to regard this answer as evasive, and, with the concurrence of his council, directed the British resident at Lucknow to demand three thousand horse from Fyzoola Khan. The demand was made and refused; but the refusal was softened by an offer to furnish two thousand horse and one thousand foot; an offer which the instructions of the British negotiator did not permit him to accept. The vizier, therefore, proposed the resumption of the jaghire of Fyzoola Khan; and the third article of the treaty of Chunarghur declared that the chief had, by his breach of treaty, forfeited the protection of the English: a declaration followed by a provision permitting the vizier, "when time should suit," to resume the jaghire, paying to the chief its value as recognized by the treaty, after deducting the charges of the troops which he stood "engaged to furnish by treaty," the amount of which was to be paid to the Company.

It is impossible to characterize these proceedings otherwise than as grossly iniquitous. Fyzoola Khan was bound to furnish to the vizier "two or three thousand men, according to his ability," but nothing was stipulated as to the description of men. When aid is required, five thousand, instead of two or three, are demanded, and these cavalry, although the treaty does not give the right of insisting that a single man shall be mounted. The demand is then reduced, so as to bring it, with respect to number,

within the letter of the treaty; but the "ability" of Fyzoola Khan is assumed at the highest point, and three thousand men are called for. They are offered; but it is still insisted that the whole shall be cavalry, and upon the chieftain's refusal to comply, it is solemnly declared that the treaty has been broken, that the guarantee of the British government has been withdrawn, and that the vizier may possess himself of his vassal's lands whenever it shall suit his convenience. It is true, that it was alleged that Fyzoola Khan kept more troops than were allowed by the treaty, and that some deception had been practised as to the value of his jaghire. Neither of these charges is improbable; but it was upon his assumed failure to furnish the military aid stipulated by the treaty that sentence of deposition was passed upon him.

It cannot but be desirable to become acquainted with the precise views of the governor-general in the course pursued towards Fyzoola Khan. Happily he has explained them in a document which accompanied the treaty of Chunarghur, when transmitted to his colleagues. His comment on the article relating to Fyzoola Khan commences thus:—"The conduct of Fyzoola Khan in refusing the aid demanded, though not an absolute breach of treaty, was evasive and uncandid." The article to which Hastings was adverting assumes a breach of treaty on the part of Fyzoola Khan, and visits it with punishment. The man who subscribed this article on the part of the British government says that there was no ab-

CHAP. XII.

solute breach of treaty. According to the private opinion of the governor-general, which was quite at variance with his public opinion, the chief fault of Fyzoola Khan was want of candour. Well was it for Hastings that this offence was not always punished with loss of office; had such been the rule, his name would scarcely have found a place in the history of British India. Having determined the offence of Fyzoola Khan, the governor-general proceeds to misrepresent the conditions of the treaty with which it was connected. "The demand," says he, "was made for five thousand cavalry. The engagement in the treaty is, literally, for five thousand horse and foot." This assertion is untrue. Fyzoola Khan was restrained by treaty from keeping in his service more than five thousand men; but the amount of his assistance to the vizier, as already stated, was to be "two or three thousand men, according to his ability." The governor-general proceeds to observe, that the British government were in great want of cavalry, and in no want of infantry, and complains that "so scrupulous an attention to literal expression, when a more liberal interpretation would have been highly useful and acceptable to us, strongly marks his unfriendly disposition, though it may not impeach his fidelity:"—an extraordinary remark, but less extraordinary than that with which the governor-general closes the subject. "I am of opinion that neither the vizier's nor the Company's interests would be promoted by depriving Fyzoola Khan of his independency, and I have, therefore,

reserved the execution of the agreement to an indefinite term, and our government may always interfere to prevent any ill effect from it!" It is thus attested by Hastings himself, that he not only pledged the British government to the recognition of an alleged fact—that Fyzoola Khan had broken the treaty with the vizier; while he privately avowed his conviction that the allegation was false, but that he solemnly engaged, on the part of that government, that one of its allies should be permitted to do that which Hastings did not think ought to be done, and which, in the very act of conceding, he had taken precautions to prevent! Volumes of elaborate disquisition could not reveal the character of Hastings so completely as the few sentences of comment on the third article of the treaty of Chunarghur, which he has left for the information of posterity. It is for this reason that the transactions in which Fyzoola Khan was concerned have been dwelt upon at some length. Neither in themselves, nor in their results, are they of any importance; but as illustrating the character and the policy of one who acted so conspicuous a part on the stage of Indian politics as did Hastings, they acquire an incidental value which gives them a title to be rescued from oblivion. Hastings, always vehement in upholding the wisdom and virtue of his own acts, could not rouse the zeal of self-laudation to the pitch of defending his conduct with regard to Fyzoola Khan. He attributed it to the hurry and agitation consequent on his situation at Chunarghur,

CHAP. XII. but it would be doing injustice to Hastings's calm intrepidity to accept the excuse. Danger never deprived Warren Hastings of self-command; and, as at the very moment when he was pretending to gratify the vizier by surrendering to him the territories of Fyzoola Khan he provided for defeating the object, it is clear that neither his usual coolness nor his usual craftiness had deserted him. Hastings at Chunarghur was all that he had ever been elsewhere —the crooked and reckless politician, but the calm and dauntless man. In quitting this subject it is only necessary to state, that Fyzoola Khan was not dispossessed of his dominions—that his military service was ultimately commuted for a pecuniary payment, on which occasion Hastings gave a true version of the treaty between the vizier and his dependant, and represented the great advantages of thus getting rid of "an article of a treaty, which was of such a tenour and so loosely worded, that the vizier could never have derived any real advantage from it."

The fourth article of the new treaty with the vizier related to the withdrawal of the British resident from Furruckabad, and requires no notice here. All these articles were suggested by the vizier, and conceded for his gratification. In return, the governor-general demanded nothing, but offered to the vizier abundance of good advice with respect to the reduction of unnecessary expense, and the regular and orderly management of his finances, to which the prince engaged to attend.

The second article of the treaty, that which related to the general resumption of jaghires, was the most important in its consequences. Among those affected by it were two females of high rank—one the mother of the reigning prince, the other his grandmother. These ladies were endowed with jaghires for their maintenance, which were now doomed to confiscation; thus leaving them dependant for their future support on the good pleasure of the vizier, or on the power and inclination of the British government to compel him to perform his engagements. The begums knew the character of their miserable relative too well to place any confidence in him, and the recent conduct of the governor-general was not such as could lead them to entertain much respect for English faith.

In addition to the jaghires with which they were endowed, the begums possessed considerable treasure. The vizier had long coveted the possession of this; and Hastings, feeling that nothing could be more convenient to the finances of the British government than a transfer, to the vizier, of wealth which would immediately undergo a second transfer to the treasury of Bengal in liquidation of his debt, strenuously recommended the execution of the vizier's long-cherished wish. It is true that to the younger begum the good faith of the British government had been pledged for the protection of her property. In consideration of sums amounting to more than six hundred thousand pounds, advanced by her to meet the exigencies of her son, the Com-

CHAP. XII. pany had solemnly guaranteed to her the full and entire enjoyment of her estates, effects, and jaghires. Subsequently to this agreement, both ladies had occasion to seek the protection of the British government against their relation, and its interference was afforded in a manner which evinced a just appreciation of the respective positions of all the parties concerned. In favour of the elder begum, who had no claim of right upon the Company's government, the resident at Oude was directed simply to remonstrate. With regard to the younger begum, whose property that government had bound itself to defend, a higher tone was assumed. The resident was directed to afford her support in all the rights she possessed in virtue of the treaty concluded between her and her son, under the guarantee of the Company. Notwithstanding this treaty—notwithstanding the subsequent formal recognition of its binding force, Hastings had, by an equally solemn instrument, consented to the deprivation of the begum of her jaghire, and to the confiscation of her moveable property. It was necessary to find reasons for the spoliation. The two following are those assigned by Hastings and his friends:—First, that the wealth of the younger begum belonged of right to the reigning prince; that it had either been improperly alienated from him by his father and predecessor, or fraudulently appropriated by his mother, and that her retention of it was at variance with the Mahometan law. Secondly, that both the begums were actuated by feelings of hostility to the British

government; that they had encouraged the rebellion of Cheyt Singh, and had excited disturbances in other places. The first of these reasons is not very formidable. If the begum had really no right to the wealth which she possessed, how came the British government to recognize the existence of her right, and formally engage to defend it? The objection, if valid, came too late. The governor-general and council were precluded by their own acts from taking advantage of it.

The second head of justification—the charge of hostility to the English—rests on a vast mass of documentary testimony, the analysis of which would fatigue without enlightening the reader. It must suffice to observe, that it consists of hearsay evidence of the loosest and most unsatisfactory character, scarcely meriting any sort of notice, and certainly far from sufficient to justify such a measure as the plunder of two women of high rank of all that they possessed. An extraordinary effort was made to give importance to this evidence by the mode in which it was taken. It consisted of a vast number of affidavits, which were sworn before the chief justice of the Supreme Court of Calcutta and the judge of the Sudder Dewanny Adawlut. It will be recollected that the two titles do not designate two persons: Sir Elijah Impey, charged with the administration of justice in two courts subsisting under two different authorities, found time, notwithstanding, to exercise magisterial functions which do not appear to have devolved upon him in virtue of

CHAP. XII. his connection with either. His stormy contests with the governor-general lulled into the most soothing calm, he was now ready to lacquey the heels of the same governor-general, for no higher purpose than that of hearing affidavits sworn at a place where this leviathan of judicial dignity could not, either as a King's or Company's judge, pretend to any jurisdiction. The plan originated with the chief justice himself. Hastings was preparing a narrative to vindicate his own conduct in relation to Benares and Oude. Tenderness for the reputation of the governor-general induced the learned judge to suggest, with more zeal than politeness, that the people of England would not believe Hastings on his own word, and that it would be advisable to support his statement by affidavits. The governor-general thereupon inquired whether Sir Elijah Impey would receive the necessary affidavits, and the ever-ready judge promptly complied. The resident and his assistant appear generally to have procured the depositions, the chief justice swore the party offering them, and thus was this remarkable body of evidence collected.*

The execution of the design which Hastings had thus prepared to justify was, however, more tardy than he had either wished or expected. From timidity, or some other cause, the vizier was slow in carrying out the views which he appeared to entertain in common with the governor-general. On the part of the begums there was neither timidity nor vacil-

* Minutes of Evidence on the Trial of Hastings, vol. i.

lation. They remonstrated against the impending alienation of their property. They prepared to follow up remonstrance by resistance, and so formidable did their preparations appear to the British resident, that he requested a regiment of sepoys to support the vizier's officers. It is here necessary to observe, that Mr. Bristow, who had been reluctantly re-appointed to the office of resident at Oude, in consequence of the compact with Francis, had been again removed, and his place supplied by Hastings's attached follower, Mr. Middleton. This was in open disregard of the orders of the Court of Directors; but such acts on the part of the governor-general had become so frequent, that they scarcely call for notice, except where it is necessary to enable the reader properly to understand the events presented to him.

The governor-general, resolved that the designs of the vizier should not miscarry for want of a sufficient force, proposed to answer the call of Mr. Middleton with an extraordinary degree of liberality. Instead of one regiment, he directed the march of four, with a field train; but the resident was apprehensive that the approach of so numerous a force would be disagreeable to the vizier, and on his suggestion its march was countermanded. In the mean time Mr. Middleton applied himself to quicken the flickering energy of the vizier, and at length obtained his authority to seize the kellah at Fyzabad, in which the younger begum resided. This was effected without bloodshed by a regiment of British sepoys, supported

CHAP. XII. by a portion of the vizier's troops; the force which had been collected for the defence of the dwelling retiring, and drawing up in front of another house belonging to the elder begum, to which the younger lady had previously withdrawn. The vizier thereupon issued an order, requiring all armed men, except his own troops,* to depart beyond the precincts of the town, under pain of being attacked. Some delay took place in yielding obedience to the order; but the two principal eunuchs attached to the establishment of the younger begum surrendering themselves, the town was soon evacuated by their armed followers. After an interval of a few days, an arrangement was made, the begum undertaking to surrender all the treasure which had belonged to the former vizier.

The process of surrender commenced, but proceeded with a tardiness proportioned to the repugnance with which it was undertaken. To quicken its progress, the two confidential advisers of the begum were put in irons and restrained from food. To relieve themselves, these persons entered into an engagement for the payment of a large sum; but, in fulfilling its terms, the usual proportion of oriental delay and evasion was not wanting. After various attempts to extort payment by appeals to the fears of the prisoners, they were removed to Lucknow.

* The English troops were of course excepted from the operation of this order; but this is not stated in the authority on which this part of the narrative rests: a letter of Mr. Middleton, 13th January, 1782, reporting the events to the governor-general.

The following letter was addressed to the officer of the guard there by Mr. Johnson, the acting resident. "The Nabob having determined to inflict corporal punishment upon the prisoners under your guard, this is to desire that his officers, when they shall come, may have free access to the prisoners, and be permitted to do with them as they shall see proper; only taking care that they leave them always under your charge." It is not clear whether the infliction of direct torture were actually intended, or whether this letter was only a new expedient to work upon the fear of the miserable prisoners, in the expectation of drawing forth a little more money. There is no proof that the order was ever acted upon, and as the prisoners do not appear to have complained of any severities exceeding those that they had previously suffered, the presumption is, that imprisonment, fetters, and deprivation of food, constituted the sum of their sufferings. Still it is lamentable to find the name of a servant of the British government attached to a letter, avowedly sanctioning the use of torture, as the means of extorting money. Nor can it even be denied that, to a certain extent, the practice had been previously employed, and without resorting to the vizier's authority as a screen. The irons fixed on the limbs of the prisoners were not imposed for the purpose of security, but because it was judged that the pain and inconvenience produced by them would render the wearers anxious to purchase ease by the surrender of treasure, and it

CHAP. XII. cannot be even pretended that the withholding of food could have any other object.

While the begums' servants were trembling in captivity at Lucknow, the palace of the begums at Fyzabad was blockaded. But these violent measures being found at last to fail of producing any adequate effect, the begums were relieved from the presence of their besiegers, and their long suffering servants set at liberty.

The joy of the latter at their deliverance is represented as being deeply affecting; weak, timid, and considerably advanced in years, these persons were little calculated to meet the trials to which they were exposed. It seems impossible to exempt those to whom they owe their sufferings from the charge of cruelty, or to deny that the series of transactions, of which those sufferings form part, present a very discreditable passage in the history of the connection of England and India. The precise share of the discredit which is due to the governor-general has been questioned; but it would be difficult to exonerate him from any portion of it. To the seizure of the jaghire which had been guaranteed to the younger begum by the British government he gave his deliberate assent. The seizure of the treasures seems to have been an after-thought, and it was suggested by the vizier that it should be regarded as a substitute for the intended confiscation of the jaghires. Hastings entirely approved of the design of appropriating the hoarded wealth of the begums,

but not as a ransom for their lands. He insisted that both should be taken, and, with some reluctance, the vizier yielded. Hastings, it must be added, expressed great disapprobation of the conduct of the resident, Mr. Middleton; but it was not on account of his rigour, but of his moderation. He was too slow in fulfilling the orders of the governor-general to place the begums entirely at the mercy of the vizier. Such was the language of Hastings; such were his views with regard to the parties against whom the proceedings were mainly directed. The cruelties inflicted upon the unhappy servants of the begums are not attributable to any positive orders of Hastings, but he was apprized of them shortly after they commenced, and it does not appear that he even expressed any disapprobation of them. He was resolved that money should be obtained, and he was never scrupulous as to the means by which an object upon which his mind was fixed was to be achieved.

His situation has been urged in his defence, and his situation was undoubtedly difficult and perilous. With an exhausted treasury, he had to find the means of carrying on expensive wars. But if Hastings might dispossess the begums of their property merely because he wanted it, he might have taken the same course with regard to any other parties, and those ladies were unfortunate in being the most convenient objects of plunder. Hastings, however, contended that the penalties inflicted upon the begums were just, and if so, he requires not the plea

CHAP. XII. of necessity. If, on the other hand, the begums were treated with injustice, the necessities of the governor-general cannot alter the character of the acts which he sanctioned and enforced. A state, like an individual, must supply its necessities by honest means.

With states, indeed, as well as with individuals, want is often the incentive to crime. Various instances of this are to be found in the early history of British dominion in India. Jaffier Ali Khan was dethroned, and Méer Cossim elevated to his place, because the British treasury was empty. Hastings engaged in the Rohilla war from a similar motive, and the spoliation of the begums can claim no more respectable origin. Such acts are incapable of solid defence, and their moral deformity is so striking as scarcely to need exposure. The plea of necessity is that of the sturdy mendicant or the vagrant freebooter, and it is disgraceful to rulers, professing to govern in the spirit of justice and civilization, to have recourse to it. The story of the errors and cunning of those who have thus sacrificed right to apparent expediency is not without value, as a warning to those who occupy similar high stations and are subject to the like responsibilities. It suggests the importance of a careful improvement of the resources of the countries which they govern, and a careful administration of their finances, in order to avert that pressure of necessity under which the honour of public men has so often been lost, and that of their country impaired. Nor is this the only

lesson afforded: the unanimous judgment of honest and impartial men has stamped with reprobation the more than equivocal acts by which Hastings and others have, at various times, sought to relieve the distresses of the state which they governed. Such will be the lot of those, if any should unhappily be found, who shall follow their example. They will purchase present ease at the price of permanent disgrace. This is to be remembered, when necessity calls for extraordinary measures to meet it. No management can command unvarying financial prosperity; no wisdom of administration can ensure exemption from reverses. Misfortune may overtake the most prudent rulers and frustrate the most judicious plans. At such moments, when the question arises, what is to be done to relieve the presence of distress? self-respect, if all other motives be wanting, should suggest the answer—any thing within the limits of justice and honour—nothing beyond them.

The meeting of Hastings and the vizier at Chunarghur took place in September, 1781. The rest of the year was consumed in endeavouring to force the courage of the vizier to the point necessary for executing the views of the governor-general. The first part of the year 1782 was occupied in the violent proceedings for obtaining possession of the wealth of the begums, which have been related. Violent as they were, they appeared to the governor-general too tame; and his displeasure on this occasion, as has already been noticed, was intimated in no equi-

A. D. 1782.

CHAP. XII. vocal terms to the resident, Mr. Middleton. At last, this long-patronized favourite of Hastings relinquished the office in which Hastings had pertinaciously maintained him, and his place was supplied by Mr. Bristow, a man towards whom the governor-general had always manifested the most bitter hostility, and in whom he had repeatedly declared he could place no confidence. Two years before this extraordinary appointment took place, Hastings had thus expressed himself in a private letter:—"The wretch, Bristow, is gone to Lucknow. If he attempts to do mischief there, I will recal him. For God's sake, help to rid me of so unworthy an antagonist, and to gain me the privilege of employing my own instruments, if the future salvation of the Company is to be left to my care. I will not employ Bristow, though my life should be the forfeit of my refusal."* He did, however, at no great distance of time, employ the man whom he had stigmatized as "a wretch," and at the very place where he had expressed an apprehension that he might do mischief; this too, although there was apparently no prospect of his life being endangered by refusal. To unravel the mystery which hangs over this appointment would be difficult, if not impossible, and the subject is of so little public interest, that the result, if attainable, would not repay the necessary labour. Hastings appears to have ascribed the appointment to

* See Gleig's Memoirs of Hastings, vol. ii. page 336. It is not stated to whom this letter was addressed, but it may be presumed that it was to Mr. Sulivan.

a desire to gratify one of his colleagues in council,* but his habitual dissimulation renders this doubtful. One point, at least, is clear; it would argue little acquaintance with the character of Hastings to suppose that he was influenced by the opinion of the Court of Directors in favour of Mr. Bristow. To whatever his conduct might be owing, it was certainly not to this. CHAP. XII.

As might be expected, Mr. Bristow gave no greater satisfaction than his predecessor, and a few months after his appointment the governor-general proposed his recal. The proposal was rejected by his colleagues, and Mr. Bristow was permitted to retain his office a little longer.† Hastings, however,

* See Gleig's Memoirs of Hastings, vol. ii. page 133.

† The council at this time consisted of the governor-general, Mr. Wheler, Mr. Macpherson, formerly agent to the Nabob of Arcot (whose rise to high station in the Company's service will hereafter be adverted to), and Mr. Stables, previously, like Mr. Wheler, a director. Hastings was much annoyed by their opposition, and had they possessed the energy of Clavering, Monson, and Francis, a repetition of the stormy scenes of former days might have taken place. Hastings, in one of his letters to his agent in England, Major Scott, draws the characters of his colleagues in a manner which, if not implicitly to be trusted, nevertheless deserves to be quoted as pourtraying his own feelings towards them. Hastings says, "You will wonder that all my council should oppose me: so do I. But the fact is this; Macpherson and Stables have intimidated Wheler, whom they hate, and he them, most cordially. Macpherson, who is himself all sweetness, attaches himself everlastingly to Stables, blows him up into a continual tumour, which he takes care to prevent from subsiding: and Stables, from no other cause that I know, opposes me with a rancour so uncommon, that it extends even to his own friends, if my wishes chance to precede his own in any proposal to serve them. In council he

CHAP. XII. never yielded a purpose, if it were possible to carry it; if foiled in one attempt, he had recourse to another, differing somewhat in character or in the means of making it. He now proposed the abolition of the British residency at Oude, and the restoration of power to the native authorities. This proposal was discussed

sits sulky and silent, waiting to declare his opinion when mine is recorded; or if he speaks, it is to ask questions of cavil, or to contradict, in language not very guarded, and with a tone of insolence which I should ill bear from an equal, and which often throws me off the guard of my prudence; for, my dear Scott, I have not that collected firmness of mind which I once possessed, and which gave me such a superiority in my contests with Clavering and his associates."—Gleig's Memoirs of Hastings, vol. iii. pages 121, 122. In another part of the same letter Hastings writes: "I stay most reluctantly on every account, for my hands are as effectually bound as they were in the year 1775, but with this difference, that there is no lead substituted to mine."—Ibid. page 129. In another letter to Major Scott, Hastings again gives flow to his sentiments of his colleagues. After assigning fear of the inquiries and proceedings then in progress at home as one of the motives of their conduct, and stating that Mr. Wheler had confessed it, he says, "As to the other two, they received an early hint from their friends not to attach themselves to a fallen interest, and they took the first occasion to prove that, if I was to be removed, their removal was not to follow as a necessary consequence of their connection with me, by opposing me on every occasion, on the most popular grounds, on the plea of economy and obedience of orders, which they apply indiscriminately to every measure which I recommend, and Mr. Stables with a spirit of rancour which nothing can equal but his ignorance. His friend, with the most imposing talents and an elegant and unceasing flow of words, knows as little of business as he does, and Mr. Wheler is really a man of business; yet I cannot convince him of it, nor persuade him to trust to his own superiority. He hates them, and is implicitly guided by them, and so he always will be by those who command him, and possess at the same time a majority of voices."—Ibid. pages 145, 146.

by the members of council through several days, towards the close of the year 1783, and Hastings triumphed. He subsequently tendered his own services to proceed to Lucknow, and, though opposed in council, he succeeded in carrying this point also. On the 17th February, he departed on his journey, and, passing through Benares, had an opportunity of witnessing the wretched state of the districts formerly administered by Cheyt Singh. The manager first appointed to act for the rajah had been dismissed, because he did not make his payments with punctuality. His successor, acting upon the principle that the sum fixed for the revenue must be collected, had subjected the inhabitants to terrible exactions, which, together with a long continued drought, had reduced the country to devastation. At Lucknow, where he arrived on the 27th March, the principal business of Hastings was to make arrangements for the payment of the vizier's debt to the Company, but he also took the opportunity of restoring to the begums a portion of the jaghires of which they had recently been violently deprived. This act is more difficult to be accounted for than that by which the ladies were despoiled. It is true that the treatment of the begums had been severely animadverted upon at home, but Hastings was not in the habit of paying much attention to such circumstances; and it is somewhat remarkable that, after denouncing the princesses as the inveterate enemies of the British government, watching for opportunities of undermining it and anxiously de-

CHAP. XII. A.D. 1783. A.D. 1784.

CHAP. XII. siring its destruction, he now spoke of both ladies as being entirely in his interest, and expressed his belief that their influence with the vizier would be exercised beneficially for the country which he represented.* The reader who has followed the history of Hastings to this period will, however, have become accustomed to these sudden changes, and have ceased to feel any surprise at them. On the 27th
A. D. 1784. of August Hastings quitted Lucknow, and on his way through Benares endeavoured to restore some degree of order, the country being almost without a government. He arrived in Calcutta early in November, and in February following embarked for England.

* See his letter to Mrs. Hastings (then in England) in vol. ii. of Gleig's Memoirs.

CHAPTER XIII.

By an act of parliament passed in the year 1779, the powers of the existing government of Bengal were continued for one year :* by another act, passed in 1780, they were renewed for one year more. In 1781 an act was passed, by which the right of the Company to their exclusive trade, and to the territorial possessions of India, was confirmed to them until the expiration of three years' notice to be given by parliament after the 1st of March, 1791. In the same session an act was passed to remedy the abuses of the Supreme Court.† This session also produced the appointment of a select and a secret committee of the House of Commons on Indian affairs, the one proposed by the opposition, the other by the minister. Each committee made numerous and voluminous reports.

India, indeed, continued to occupy, in an unusual degree, the attention of parliament. In May, 1782, a resolution, condemnatory of the conduct of Hastings, was voted by the House of Commons, and the Court of Directors resolved to recal him. In the

A.D. 1782.

* As noticed at page 129. † See note on page 148.

CHAP. XIII. general court Hastings was more fortunate, a considerable majority declaring against his recal.

Other resolutions subsequently passed the House of Commons, affecting various persons, and among them the King's chief justice, the Company's chief judge of the Sudder Dewanny Adawlut, and the governor-general's taker of affidavits, Sir Elijah Impey. The House addressed the Crown, praying for his recal, and an order to that effect was transmitted. Impeachment was threatened, but not carried into effect.

A period was approaching when the excitement previously existing on Indian affairs, great as it had been, was to be increased. The ministry of Lord North had fallen early in the year 1782. The feeble and short-lived administrations of the Marquis of Rockingham and Earl of Shelburne followed in succession. The latter was destroyed by the force of the united parties of Mr. Fox and Lord North, whose triumph introduced a cabinet famous in the history of British party as the coalition ministry. The two sections of which this ministry was composed had been long engaged in determined hostility to each other. The habitual urbanity of Lord North had restrained him from indulging in the furious invective of his opponents, but the violence of their language towards him had been unmeasured: yet they were now his allies—a common desire to storm the seat of power having brought together men whose differences appeared irreconcilable. They had succeeded; the seals of office were theirs, but not the

confidence of the Crown, nor the good-will of the people. By the King they were hated. Mr. Fox and his party he had long disliked, and his late favorite, Lord North, by his union with that party, had lost for ever the confidence of his Majesty, which he had before so largely enjoyed. With the people the new ministry was eminently unpopular, the monstrous sacrifice of principle which had been made for its formation having disgusted honest and consistent men of all parties. Still the ministry was strong; it had the support of a vast majority of the great and powerful families of the country, and on this ground it hoped to defy the united hostility of King and people.

At this time every man could declaim on the misgovernment of India, and every man was prepared with a remedy; it would have been strange, therefore, if a ministry, so bold and, in their own belief, so strong, should have shrunk from the task of reforming Indian affairs. The coalition ministry entered office in April, 1783. On the 18th of November following, Mr. Fox, one of the secretaries of state, moved for leave to bring in a bill "for the better government of our territorial possessions and dependencies in India." Having prepared the way, by attacking the East-India Company and all persons connected with it, Mr. Fox proceeded to expound the plan which himself and his colleagues had prepared for its annihilation. All power, commercial as well as political, was to be taken from the Company and transferred to two boards: one to

A. D. 1783.

CHAP. XIII. consist of seven persons, to hold office for a term of years, under whose control the whole government of India was to be placed; the other to be composed of a larger number of persons to be called assistants, who were to manage the commercial business, but subject to the control of the chief board of seven. The members of these boards were to be appointed in the first instance by parliament —that is, they were to be appointed by the coalition ministry. Subsequently, vacancies in the supreme board were to be supplied by appointment of the King; in the inferior, by election by the proprietors of East-India stock. These regulations exposed the objects of the contrivers of the plan, and proved them to have been power and patronage. The members of the supreme board, it has been seen, were to be nominated by the minister, either in parliament or in the closet. The members of the inferior board were, after the first appointments, to be elected by the proprietors of East-India stock. Why were the first appointments excepted? There can be but one answer. Because the ministry wanted the power of providing for some hungry dependents. The whole patronage of India, too, was, directly or indirectly, transferred to the ministry. It was to be exercised by seven persons, nominated in the first instance by a parliament in which the voice of the minister was predominant, and subsequently by the minister for the time being, in the name of the King. It was to be transferred from a quarter where it could rarely, if ever, be used for po-

litical purposes, to hands by which it would never be employed for any other purpose. From one section of the cabinet, this perhaps might have been expected. Lord North and his friends had been charged, whether justly or unjustly, by their former opponents and present colleagues, with a disposition to favour arbitrary principles; but how was the plan to be reconciled to the doctrines of the other section of the administration—of the men who had always professed to dread the extension of ministerial influence, and who avowed a belief "that the power of the Crown had increased, was increasing, and ought to be diminished?"—how could they support a project for adding a vast mass of the most desirable patronage to that already possessed by the ministry, and thus increasing an influence which they represented as threatening to overwhelm the liberties of the country? The answer is, when they indulged in denouncing the growing influence of the Crown or the ministry, they were out of office, and with no immediate prospect of dispensing that influence which they professed to abhor—they were now in office, and their new position was so agreeable, that they were anxious to retain it as long as possible. Mr. Powys, a county member who took a conspicuous part in the debate, imagined the great leader of the popular section of the cabinet to express himself in this manner: "I have now forced myself into a most exalted station; the people, by whose means I reached it, begin, however, to think less of me than before. But still I have great influence in the country. I have formed

CHAP. XIII. connections with many of the first families in the kingdom—families of the highest rank and most distinguished character, who are all combined to support my administration. I have joined a party which I had driven two years ago from the helm of government, by my unremitted exertions for years together. But as my popularity is on the wane, I will make good use of my time: the whole Indies shall, for this reason, contribute to the splendour and permanence of my power. I will take advantage of the zenith of my power to build me a golden fortress in the midst of the land of promise. That fortress I will not only render impregnable, but garrison with a select number of picked friends and chosen adherents, on whose zeal and attachment I can safely rely—a fortress which no contingency shall be able to assail with success—which will neither yield to the call of the people nor the inclination of the sovereign."*

* Hansard's Parliamentary History, vol. xxiii. page 1310. Among the passages most deserving notice in the debates arising on Fox's East-India Bill, some observations of Mr. Beaufoy may be referred to. He said, "Examine the effects which this system will have on the rights of the India Company—examine the effects it will have on the British constitution—you will find it embarrassed with difficulties without end—evils of uncommon magnitude rise upon the view. This bill avowedly abrogates the Company's charter. Charters, Sir, are not like other laws, repealable at the will of the legislature; they are compacts, and cannot be justly cancelled without the consent of both the contracting parties. That parliament has a right to interfere in prescribing the mode in which the Company's territorial possessions shall be governed, no doubt can be entertained; for such interference im-

The ministry, however, relying on their numerical strength, felt that they could defy alike general reasoning and personal attack, for on every division they commanded a majority of about two to one; and the

plies no breach of the Company's charter. But to subvert their constitution on the plea of an unproved and unreal necessity—unproved and unreal as applied to these objects—to violate solemn compacts—to break through engagements, for the observance of which the faith and honour of the nation have been pledged—the authority of parliament itself does not extend so far; for even the omnipotence of parliament is circumscribed by the eternal laws of justice. Is there a man who ventures to deny this maxim? One such man it seems there is—'Away with their chartered rights,' said the right honourable gentleman (Mr. Burke); 'you are not bound to observe them;' the great charter gives you authority to violate all other charters—the great charter gives you a right to do the extremity of wrong. Such is the spirit of this new system—such are the maxims by which its advocates recommend it to the house. But the sacred rights which charters give are not the only rights which this bill violates; it has a wider aim, for its principle is levelled at all the rights of property. The same power which appoints agents and stewards to the Company against their will, and makes them independent of their control, may equally appoint an agent and steward to the estate of every gentleman who hears me—may equally assign the management of his affairs, the collection of his rents, and their disposal when collected, to a person in whose appointment his will had no share, and over whose actions he has no control. But the power which deprives him of the management and disposal of his property does, in effect, deprive him of his property itself. This principle once established, what security have the other public companies of the kingdom? What security has the Bank of England? What security has the South Sea Company? What security have any of the public corporations? What security have the national creditors, or indeed any individual, either for his public or his private rights? It would be folly in the extreme to suppose that this principle, once admitted, will operate only on the affairs of the East-India Company. *Good prin-*

CHAP. XIII. bill being passed through all its stages in the House of Commons, was finally transferred to the Lords.

The East-India Company had petitioned the Commons against the bill, and been heard at its bar by counsel. The same course was taken in the upper house, though probably with but slender
A. D. 1783. expectations of success. On the 15th December, Mr. Dallas, one of the Company's counsel, having called some witnesses to establish the case which he was entrusted to support, requested that the house would indulge him by adjourning to the next day. This was opposed—especially by Earl Fitzwilliam, who was named in the bill as the first commissioner of the superior board. The Duke of Portland, the nominal head of the administration, followed, and adverted to an extraordinary rumour which had been circulated pretty generally, in which, he said, the name of the most sacred character in the kingdom had been aspersed, and the name of a noble lord, he hoped, abused. The Duke of Richmond spoke more distinctly, and read from a ministerial newspaper an article announcing the prevalence of a report, that his Majesty had withdrawn his appro-

ciples may sleep, but bad ones never will. It is the curse of society, that when a bad principle is once established, bad men will always be found to give it full effect."—Hansard, vol. xxiii. pages 1397, 1398. It is not unworthy of remark, that these observations did not come from a member disposed to maintain existing things solely because they exist. Mr. Beaufoy's opinions were what in those times were denominated extreme Whig, and which would now be called ultra liberal. He was for many years the leading representative in parliament of the interests of the Dissenters.

bation from the East-India Bill, and his confidence from those by whom it was framed, in consequence of an interview with Earl Temple, but treating the rumour as a fabrication. Earl Temple thereupon rose, and admitted that the King had honoured him with a conference, in which he had given certain advice. What that advice was he would not state; but he was ready, he said, to tell their lordships what it was not—it was not friendly to the principle and object of the India Bill. After some further discussion, a motion to postpone the further hearing of evidence till the following day was carried. On that day the business was resumed, and on the day after, the motion that "the bill be committed" was lost by a majority of nineteen. This was the result of the interview of Earl Temple with the King, and of the ascertained fact that his Majesty disapproved of the bill. Many peers who had entrusted their proxies to ministers withdrew them, and the Prince of Wales, who two days before had voted with ministers on the question of adjournment, on this occasion absented himself from the house. The fate of the ministry, as well as the fate of the bill, was now sealed. They had still an overwhelming majority in the House of Commons; but, encouraged by the decision of the upper house, the sovereign resolved to dismiss them. The mode in which this was effected was singularly expressive of the royal disapprobation. At twelve o'clock on the night of the 11th of December, a messenger delivered to the two secretaries of state an order from the King, "that

CHAP. XIII.

A. D. 1783.

CHAP. XIII. they should deliver up the seals of their offices, and send them by the under secretaries, Mr. Fraser and Mr. Nepean, as a personal interview would be disagreeable to him." The seals, as soon as delivered, were given to Earl Temple, who by letter announced to the remaining members of the cabinet their dismission from office.

A new ministry was forthwith formed, of which Mr. William Pitt, then only twenty-three years of age, became the head; but he found an intractable House of Commons, against whose opposition he for several weeks contended without effect. On the
A. D. 1784. 14th of January, 1784, he moved for leave to bring in a bill for the better government and management of the affairs of the East-India Company. Its leading provision was, "that a board should be instituted, to be appointed by his Majesty, consisting of one of the principal secretaries of state, the chancellor of the exchequer for the time being, and a certain number of the privy councillors," to which board the despatches of the Company were to be submitted for approval. The bill was brought in, passed through the earlier stages, and then, on a division, lost. Mr. Fox immediately moved for leave to bring in a bill on the same subject, but no progress was made with it. The contest between the two parties found other matter of excitement, which kept the House of Commons in a perpetual heat till the 24th of March, when parliament was dissolved.

In the new parliament the balance of parties was reversed, and the minister had a powerful majority.

On the 2nd July he introduced an India Bill, resembling in its principal provisions that which had been lost in the preceding session. It was opposed vehemently by the coalition party, but passed the House of Commons on the 28th July. It passed the Lords with far greater ease, and ultimately became law. As this act was the foundation of the present system of governing India, it may demand some degree of examination.

By the plan established in 1784, the patronage of India, the immediate management of its affairs, and the general right of originating all measures connected with them, remained with the Company. But these functions were to be exercised under the observation of a board, composed of persons nominated by the Crown, who were entitled to be fully informed of all matters connected with the political, military, and revenue affairs of India, and whose approbation was necessary to give effect to the measures suggested by the authority of the Company. In case of default by the Court of Directors, the board might originate despatches; and to provide for circumstances where secrecy might be required, the Court were to appoint a secret committee, through which the secret instructions of the board, when such were necessary, might be forwarded to the governments of India. The power thus established was not altogether new. By the act of 1781, the Court of Directors were bound to deliver to one of the Secretaries of State, copies of all proposed despatches on civil and military affairs, and to

CHAP. XIII. obey the instructions of the Crown in reference thereto: nor is it unreasonable that government should have the means of preventing political power exercised on behalf of the British Crown from being abused. It would perhaps be difficult to frame a plan for the government of distant possessions, which should possess greater advantages and fewer inconveniences than that under which the government of India has now for sixty years been conducted. If the East-India Company were to exercise the powers of government unchecked, abuses, similar to those which formerly called for the interference of parliament, might again arise. The interposition of the great body of proprietors, instead of being, as it now is, a salutary and useful expression of public opinion, might become, as of old, an instrument for effecting objects purely personal; and the Company's courts might again become the scene of furious contests, in which, though public principle might be pretended, none would be really involved, the matter in dispute being, in effect, whether one individual or another, or one or another knot of individuals, should be enriched by the possession of lucrative office in India. That a great empire should flourish under such a system is manifestly impossible; and while it affords matter of gratification that the popular part of the constitution of the East-India Company has been preserved, it is not less so that it has been rendered incapable of being used as an engine of mischief.

The evils of the old system of government were attested by experience. Those which would have

resulted from a change which should have annihilated the powers of the Company, and transferred the entire administration of India to a government office, may readily be imagined. By dividing the power between the responsible advisers of the Crown and a body totally unconnected with political party, both classes of evils are to a great extent avoided. The patronage of India, which all constitutional authorities have thought it would be dangerous to place with the Crown, is deposited in the hands of a body over whom the Crown and its ministers can exercise scarcely any influence. With those who, thus free from political bias, administer this patronage rests the power also of communicating with the local governments, and of originating the orders and instructions transmitted for their guidance; but such orders requiring the approbation of a branch of the executive government of the Crown to give them effect, nothing at variance with the rights of the sovereign, with the general interests of the empire, or with the general policy of the ministry for the time being, can be carried into effect. Personal claims or complaints having to pass the ordeal of two inquiries, conducted under two different and independent authorities, will be far more likely to be decided with justice than if they were subjected only to one. The discussion called forth by such a system is another advantage which would be lost under any other differing from it essentially. The system might probably be improved in some mi-

CHAP. XIII. nute points,* but the principle which is at its foundation is admirable. It has been alleged that it is cumbersome and anomalous. All systems of check are to a certain extent cumbersome, but we submit to this inconvenience for the sake of security. The other objection scarcely deserves refutation. Government is a practical matter, and, if its objects be attained, it is of little importance whether or not the machinery be regular and symmetrical.

Besides establishing the Board of Control, the East-India Act of Mr. Pitt sought to check corruption in the servants of the East-India Company, by subjecting them to inquiry as to their fortunes, and by preparing for the trial of their offences a new tribunal. These provisions, however well intended, are not entitled to any portion of the praise which is due to the main object of the act. Servants of the Company, returning from India, were required to deliver inventories of their property, and this enactment was fortified by penalties of extreme severity. This part of the bill was repealed two years afterwards. It ought never to have been passed: the inquisitorial proceedings which it sanctioned are utterly inconsistent with the habits of a free

* As, for instance, in providing the means of formally and publicly recording the grounds of difference between the Board and the Court of Directors when irreconcilable. An objection, not altogether unimportant, has been taken to the constitution of the Home Government of India, as involving a divided responsibility, which objection would lose much of its force, if the Board of Commissioners and the Court of Directors each acted under the conviction that their differences of opinion would come before the public.

country. Another unfortunate portion of the act was, the creation of a new tribunal for the trial of Indian delinquents, and the provision of new modes of procedure against such criminals. Three of the judges were to be members of this extraordinary tribunal; the rest, seven in number, were to be members of the two houses of parliament, chosen by their fellow-members. The majority of the persons, therefore, to whom it was proposed to commit the investigation and punishment of Indian crime would have been political partizans. Among the novelties introduced into the forms of proceeding, was the admission of evidence taken in India before a competent tribunal, the effect of which would have been to place the liberty, property, and character of accused persons at the mercy of witnesses, and those Indian witnesses, whom they would have no opportunity of subjecting to cross-examination. Burke, in speaking of this monstrous tribunal, might well exclaim, "all that had yet been said of the judicature which was now established for the purpose of punishing the delinquencies committed in India fell short of its turpitude: it had no authority, example, similitude, or precedent, in the history of this country, except, perhaps, the Star Chamber of detestable memory. That institution, which had made the hearts of the whole nation to quake and tremble, was composed of peers, privy councillors, and judges."* It is remarkable that this tribunal, which occupies nineteen sections of the act by which it was

* Hansard's Parliamentary History, vol. xxv. page 1279.

CHAP. XIII. established, and which two years afterwards was the subject of laborious modification by another act, the provisions of which are yet unrepealed, has never, in a single instance, been resorted to. A court was prepared, before which Indian delinquency was to tremble, but not a single criminal has ever been arraigned at its bar; and though the acts which provide for its existence may long continue to slumber on the Statute Book, there is little probability that its terrors will ever be called forth.

Pursuing the train of home affairs, we find the debts of the Nabob of Arcot occupying the attention of the Court of Directors, the government Board of Commissioners, and the House of Commons. By the act of 1784, an inquiry into this subject had been required. The Court of Directors proceeded to carry into effect the intention of the act, and framed a despatch, addressed to the governor and council of Madras, requiring them to enter upon a full investigation. But the authority with which the court had to co-operate took a different view. The newly constituted Board of Commissioners, at the head of which was Mr. Dundas, declared that no such inquiry as that proposed by the Court of Directors was necessary, and, dividing the alleged debts into three classes, they resolved that the account of the whole should be made up with interest, and that a portion of the revenues of the Carnatic should be annually set apart for the liquidation.

This was either a lamentable error of judgment

or a culpable breach of duty. The claims of the alleged creditors of the Nabob of Arcot were surrounded by circumstances of the highest degree of suspicion. If ever there were claims which called for minute and searching inquiry, such were these. The course taken by the ministry upon this question tended to cast great discredit upon them, and to afford to the opposition favourable ground of attack. On the 28th February, 1785, Mr. Fox called the attention of the House of Commons to the subject, and moved for the papers connected with the inquiry. The motion was lost, as were two similar motions in the House of Lords; but opportunity was taken to impugn the motives of the ministry, and to adduce plausible reasons for believing that the decision was attributable to parliamentary influence. It will be recollected that a person named Paul Benfield was one of the chief creditors of the Nabob of Arcot, and that he represented several other creditors.* Much jugglery had been subsequently practised, and the name of Benfield had disappeared from the list of creditors, and been restored to it, as circumstances suited. At length, Benfield had procured himself to be elected to parliament, together (according to Burke†) with seven other persons, of like principles and views with himself. He soon afterwards departed for Madras, leaving as his representative Mr. Richard Atkinson, a gentleman whom the ministry delighted to honour, on the ground, it was alleged and believed, of the pains which he had

A. D. 1785.

* See pages 200, 201.

† Speech on Fox's motion, 28th February, 1785.

CHAP. XIII. taken to promote the return of members of parliament favourable to their interests. The defence of ministers was weak, but their majority was large. The papers were refused, partly on the ground that the public interests might suffer from giving them publicity. It is not easy to suppose that ministers were influenced by this fear, for a bookseller had obtained a copy of the papers, and published them.

In this instance it must be admitted that the advantages of the revised system for administering the government of India were not fully realized, and that the power of the board of commissioners was used to perpetrate a foul job. Yet even here some advantage over the more simple system is apparent. The Court of Directors had the power of remonstrating against what they considered an act of gross injustice and improvidence, and they did remonstrate. Their resistance attracted the attention of the party opposed to ministers in parliament, and though the evil was not redressed, it was exposed.

The stage of Indian politics was now about to be occupied by a drama of greater dignity, though, perhaps, of less importance. For several years, the administration of Hastings had been violently attacked in parliament, and nearly every party in the state had joined in condemning him. In a series of reports, of which Burke was the framer, his principal acts had been assailed with great talent and great severity. Threats of further proceedings had been held out, and on the return of Hastings to England, Burke declared, that if the task were undertaken by

no one else, he should stand forth as the accuser of the returned governor-general. There can be little doubt that he was well disposed to execute the office which he thus undertook; but there is reason to believe that his own ardour was not shared by some of his parliamentary friends, without whose assistance the attempt must fail. The ministry, though some of the members were the pledged accusers of Hastings, were notoriously indisposed to proceed against him; and had Hastings been willing to accept the boon with which Sir Thomas Rumbold and others were content—had he been satisfied with retirement and impunity, it is possible, as the pledges of statesmen are soon forgotten, that he might have been permitted to sink undisturbed into obscurity. But Hastings was ambitious. He had come back, not to throw himself upon the forbearance of his foes, but to challenge honours and rewards. He was aware that his enemies were numerous and, both from their abilities and political influence, powerful: but he knew also, that he was not without supporters; some acting from principle and feeling—some stimulated by the liberality with which he distributed his funds. In addition to this source of encouragement, he felt strong in the consciousness that he deserved what he sought. Looking back to the many equivocal, and more than equivocal, acts of his administration, this may appear strange, but it was undoubtedly the fact. Hastings's extravagant self-esteem would not allow him to believe that he could do wrong, or at least that

CHAP. XIII. he could err to any serious extent. The proudest pontiff that ever boasted the power of the keys had scarcely a higher opinion of his own infallibility than had Hastings. He expressed astonishment that acts, which all mankind condemned, should draw forth reprobation—and his astonishment was not always affected. In some cases, there is no doubt that he really felt it: the acts were his—therefore, they were right. Under the influence of such feelings and hopes, Hastings was prepared to dare his opponents to the combat. It is not unlikely that in this course he was influenced by the conviction that they would not have the courage to proceed, and he could not but feel that, if they declined his challenge, they would leave him in possession of the vantage-ground.

Accordingly, at the commencement of the ses-
A.D. 1786. sion of 1786, Burke was reminded of his promise to proceed by Hastings's agent, Major Scott—who, the better to carry on the business of his principal, had, in conformity with the precedent set by the Nabob of Arcot's attornies, procured a seat in parliament. If Burke and his friends were wavering, this determined their course, and on the 17th February the preliminary proceedings against Hastings commenced, by a motion for papers relating to the presents and other monies privately received by the late governor-general. In the speech by which this matter was introduced, Burke announced his intention to proceed further; and after adverting to the various modes of effecting his purpose, a

prosecution in the ordinary courts of law, a bill of pains and penalties, and an impeachment before the House of Lords, declared his preference for the last. It will be unnecessary to pursue in detail the steps taken by Hastings's accusers. They continued to collect and bring forward various matters of charge till the 26th of April, when Major Scott A. D. 1786. presented a petition from Hastings, praying to be heard in his defence. Leave was granted, and on the 1st May the accused party appeared at the bar of the house, where he commenced reading a paper of great length, which he concluded on the following day.

Up to this period, and for some weeks afterwards, the influence of the ministry had been given to Hastings. On the 2nd June the House of Commons negatived a motion made in committee by Burke, on the conduct of Hastings, in relation to the Rohilla war, and Mr. Dundas, who a few years before had moved and carried a resolution condemnatory of that conduct, now voted in the majority. On the 13th of the same month Mr. Fox made a motion in committee, to the effect that there was ground for impeaching Hastings, in reference to his treatment of Cheyt Singh. By this time a revolution had taken place in the sentiments of the ministry; and Mr. Pitt, after a speech, in which he maintained that Cheyt Singh was a dependent of the British government, that he might reasonably be called upon for additional expenditure on extraordinary occasions, that the occasion on which Hastings desired assist-

CHAP. XIII. ance was such as to justify the demand, and that the amount required was not excessive, declared his intention to vote with the accusers of the governor-general, on the ground that the fine which he levied was exorbitant. The friends of Hastings were astonished at this sudden change in the minister's views, which has never yet been adequately accounted for. It was now evident that, with ministers and opposition united against him, Hastings had nothing to hope from the House of Commons—that impeachment was inevitable, and that to the House of Lords he must look for the sentence which should finally deliver or condemn him.

A. D. 1787. Of the session of 1787 the charges against Hastings constituted the main business. On the 3rd of April a committee was appointed to prosecute an impeachment at the bar of the House of Lords. It included the celebrated names of Burke, Fox, Sheridan, and Windham. An attempt was made to introduce that of Hastings's old enemy, Francis, but it failed. At a later period it was renewed by a motion of Mr. Fox for adding Mr. Francis to the committee, which motion received the cordial support of Mr. Francis himself, in a speech of considerable length; but the House did not agree with the mover and his independent supporter, and rejected the proposal by a large majority. The managers consoled the disappointed candidate by a flattering letter, in which, notwithstanding his defeat, they requested that he would attend their meetings, and aid them by his information and counsel.

On the 10th of May the House of Commons proceeded to the bar of the House of Peers, and Mr. Burke, in their name, formally impeached Hastings of high crimes and misdemeanors. Hastings was subsequently committed to the custody of the serjeant-at-arms, from which he was discharged on finding bail, himself in £2,000, and two sureties in £1,000 each. There was little reason to believe that Hastings meditated escape; but if such an intention were apprehended, the amount of security required was ludicrously inadequate. A. D. 1787.

The trial did not commence till the 13th of February in the following year. The excitement was extraordinary, and Westminster Hall, which was fitted up for the occasion, was crowded by groups of fashionable persons of both sexes, as though to witness a public spectacle. Two days were spent in reading the articles of impeachment and Hastings's answer, an exercise from which it is to be presumed the motley crowd of listeners derived but indifferent amusement. On the third day the great orator appeared, with all the advantage which the dry and tedious occupation of the preceding days could afford him. The duty assigned to Burke was to explain the grounds upon which the impeachment had been undertaken, and give a general view of the charges against the prisoner; an extensive field, no part of which the orator seemed willing to neglect. His speech was continued through four days, and, as an appeal to the passions, was pre-eminently successful. Ladies were carried out of the A. D. 1788.

CHAP. XIII.

hall in a fainting state, and even in the sterner sex Burke's descriptions produced visible agitation. These facts attest the power of the speaker; but had the effect of his eloquence been permanent, its exercise would have been most unjust to the prisoner, and greatly in opposition to the wise and salutary principle, that, in deciding on the guilt or innocence of an accused person, the verdict should be determined by evidence, not by declamation. It may be doubted, however, whether Burke's extraordinary display was not calculated to defeat his object. After being borne aloft on the wings of his impassioned eloquence, the judges had to listen to the cold and dry statements of the living witnesses that might be called to prove the alleged facts, or, what was still less exciting, to the reading of long extracts from official papers. Even if no facts were overstated in the opening address, the contrast between the fervour with which it was composed and delivered, and the long and monotonous supplement by which it was to be sustained, could scarcely fail to diminish the effect of the evidence below that which under other circumstances it would have produced. Had Burke been summing up after the evidence had been gone through, the splendid lights of his fancy might have succeeded in surrounding ordinary facts with a colouring not natural to them, and he might have carried the minds of the ardent and susceptible willing captives to the conclusion to which he was desirous of conducting them. As it was, he delivered a magnificent oration, which was listened to

with delight and eulogized with enthusiasm—and these were all the effects produced. CHAP. XIII.

Burke having concluded his task, Fox rose to state the course which the managers, on behalf of the Commons, proposed to pursue. It was to treat each charge separately; to open it, and then await the prisoner's defence before proceeding to another. The Lord Chancellor inquired whether this course would be agreeable to the counsel for the accused? they objected, as it must have been anticipated that they would. The Lords withdrew to consider the point, and determined that the entire case for the prosecution must be opened before the prisoner was called on for his defence. This decision was obviously just and reasonable. The mode of proceeding proposed by the managers was contrary to the practice of all courts of justice, and its adoption would have been an act of cruelty towards the prisoner, by subjecting him to the chance of being entangled in snares and pitfalls, from which neither discretion nor innocence might be able to preserve him.

The first charge opened against Hastings related to his conduct towards Cheyt Singh, and the court was addressed on this subject by Mr. Fox and Mr. Grey.* In the examination of witnesses which followed, a fresh difference arose between the managers and the counsel for the prisoner. A witness called by the former having answered a question put by one of

* Now Earl Grey.

CHAP. XIII. them in the negative, was asked whether he had not, on a former occasion, answered the same question in the affirmative? Hastings's counsel objected, on the known principle that a party must not discredit his own witness. The point was decided by the Lords against the managers.

The second charge brought forward related to the begums of Oude. It was opened by Mr. Adam, who was followed by Mr. Pelham. Sixteen days were spent in hearing evidence, after which Sheridan summed up in a speech, inferior only to the opening speech of Burke in its exciting effect. No further progress was made during this session. The trial had occupied thirty-five days, and two charges, out of a list containing ten times that number, had been entered upon. Further proceedings were adjourned till the next session of parliament.

The illness of the King and other causes prevented
A. D. 1789. the resumption of the trial until the 21st of April, when a charge of receiving presents was opened by Mr. Burke. Having occasion in his speech to refer to Nuncomar, he used expressions of which Hastings complained by petition to the House of Commons. He said that "Hastings had murdered Nuncomar by the hands of Sir Elijah Impey." The language was strong, and its use could be justified only by reference to the extraordinary latitude of exaggeration in which advocates are accustomed to indulge. In the House of Commons the matter was treated in a great degree as a party question, and a motion submitted by Mr. Pitt, declaring that the House had

given Mr. Burke no authority to impute the death of Nuncomar to Hastings, was carried. CHAP. XIII.

In the prosecution of the charge relating to the receipt of presents, various questions arose as to the admissibility of evidence; the managers continually claiming an exemption from the ordinary rules of the courts, and the Peers invariably deciding that they were bound by them. In this manner the session of 1789 was consumed; and when half only of the charge relating to the receipt of presents had been proceeded with, the consideration of the remainder was postponed to a future session. Hastings complained of being subjected for so great a length of time to the anxiety of remaining on trial. His complaint was just, but it was couched in a tone of affected and overstrained humility, ludicrously contrasting with the arrogant character of the man. The next session was wasted in the same manner as the preceding. Parliament was then dissolved, and a question arose, whether the impeachment did not abate by the dissolution. After much delay, both houses determined that it did not; and, on the 23rd of May, 1791, proceedings were renewed in Westminster Hall. Another charge, imputing corruption in various forms, was opened, and with this the managers intimated their intention of closing their case. On the 2nd of June Hastings read his defence, and with this the proceedings of the session closed. A. D. 1791.

Two succeeding sessions, those of 1792 and 1793, were occupied by the speeches of counsel and the examination of witnesses in defence of Hastings.

CHAP. XIII. A. D. 1794. In that of 1794 the managers proceeded to reply to the case of the accused, and to adduce evidence in disproval of it; and their labours occupied all the time allotted by the House of Lords to the trial during that session. In 1795, the long protracted proceedings were at last brought to a close. On the A. D. 1795. 23rd of April, in that year, Hastings was acquitted on most of the articles of charge by large majorities, and on some unanimously. Thus terminated this most extraordinary trial, after a duration of seven years.

Of the four charges on which the Commons proceeded, the first afforded no just or reasonable ground for impeachment. Cheyt Singh was regarded by the accusers of Hastings as an independent prince, liable only to the payment of an annual tribute, which, under no circumstances, was to be increased. This was not his position. He was a disobedient dependent, and Hastings erred only in meditating the infliction of a punishment disproportioned to the offence. This deserved blame, but it did not deserve impeachment. The charge respecting the begums was far better founded. Here the conduct of Hastings merited something more than mere censure. The charge relating to presents would also have justly subjected him to punishment, could it have been proved; but though there were many suspicious circumstances, there was nothing amounting to legal evidence. The same remark will apply to the fourth charge, implying various acts of a corrupt character. The managers of the House of

Commons appear, indeed, to have been sensible that they could not maintain their charges without they were permitted to emancipate themselves from rules of evidence which have been long established, and are universally recognized in English courts of law —a most arrogant and mischievous attempt. If the rules be good, they ought to be maintained in all cases; if evil, they ought to be abandoned; but to maintain them where private individuals are concerned, and relieve the House of Commons from their operation, would be equivalent to saying that where the House of Commons appeared as a prosecutor, it should be at liberty to employ any means, however unjust, to procure conviction. If any difference should be made, it certainly should not be in favour of the House of Commons. Its vast power needs not undue addition, and the party spirit which clings to its acts, even as a public prosecutor, would suggest the propriety of a diminution of ordinary power, rather than the addition of any of an extraordinary character.

The power of impeachment is maintained for the alleged purpose of furthering the ends of justice; but it is clear that it may be exercised for the purpose of oppression, and that whether an intention so to exercise it exist or not, the effect may be produced. It was produced in the case of Hastings. Waving all considerations of his innocence or guilt, it was an intolerable grievance to be kept on trial for seven years. To subject an innocent man to such a proceeding is frightful injustice; to a guilty man,

CHAP. XIII. the anxiety and expense would be no light punishment.

Attaching no greater importance than they deserve to the whining appeals of Hastings,* it is but

* To shew that they are not improperly characterized, one of them is submitted for the judgment of the reader. It was addressed to the House of Peers immediately after the opening of the last article of impeachment which was proceeded upon.—"My Lords, I shall take up but a very few minutes of your time, but what I have to say I hope will be deemed of sufficient importance to justify me in requesting that you will give me so much attention. A charge of having wasted £584,000 is easily made where no means are allowed for answering it. It is not pleasant for me, from week to week, from month to month, from year to year, to hear myself accused of crimes, many of them of the most atrocious dye, and all represented in the most shocking colours, and to feel that I never shall be allowed to answer them. In my time of life, in the life of a man already approaching very near to its close, four years of which his reputation is to be traduced and branded in the world, is too much. I never expect to be allowed to come to my defence, nor to hear your lordships' judgment on my trial. I have long been convinced of it, nor has the late resolution of the House of Commons, which I expected to have heard announced to your lordships here, afforded me the least glimpse of hope that the termination of my trial is at all nearer. My Lords, it is now four years complete since I first appeared at your lordships' bar: nor is this all; I came to your bar with a mind sore from another inquisition, in another place, which commenced, if I may be allowed to date it from the impression on my mind, on the day I arrived in this capital, on my return to England, after thirteen years' service. On that day was announced the determination of the House of Commons for arraigning me for the whole of my conduct. I have been now accused for six years; I now approach very near (I do not know whether my recollection fails me) to sixty years of age, and can I waste my life in sitting here from time to time arraigned—not only arraigned, but tortured with invectives of the most virulent kind? I appeal to every man's feelings, whether I have not borne things that many even of your lordships could not have

just to admit that he had great reason to com- CHAP. XIII.
plain. It was alleged, indeed, that the delay was in

borne, and with a patience that nothing but my own innocence could have enabled me to shew. As the House of Commons have declared their resolution, that for the sake of speedy justice (I think that was the term), they had ordered their managers to close their proceedings on the article which has now been opened to your lordships, and to abandon the rest, I now see a prospect which I never saw before, but which it is in your lordships' power alone to realize, of closing this disagreeable situation in which I have been so long placed; and however I may be charged with the error of imprudence, I am sure I shall not be deemed guilty of disrespect to your lordships in the request which I make. That request is, that your lordships will be pleased to grant me that justice which every man in every country in the world, free or otherwise, has a right to; that where he is accused he may defend himself, and may have the judgment of the court on the accusations that are brought against him. I therefore do pray your lordships, notwithstanding the time of the year (I feel the weight of that reflection on my mind)—but I pray your lordships to consider, *not the unimportance of the object before you*, but the magnitude of the precedent, which every man in this country may bring home to his own feelings, of a criminal trial suspended over his head for ever; for in the history of the jurisprudence of this country, I am told (and I have taken some pains to search, and as far as my search has gone it has been verified), there never yet was an instance of a criminal trial that lasted four months except mine; nor even one month, excepting one instance, an instance drawn from a time and situation of this government which I hope will be prevented from ever happening again. My Lords, the request which I have to make to your lordships is, that you will be pleased to continue the session of this court till the proceedings shall be closed, I shall be heard in my defence, and your lordships shall have proceeded to judgment. *My Lords, it is not an acquittal that I desire; that will rest with your lordships, and with your own internal conviction. I desire a defence and I desire a judgment, be that judgment what it will. My Lords, I have bowed, I have humbled myself before this court, and I have been reproached for it. I am not ashamed to bow before an authority to which I owe*

CHAP. XIII. a great degree attributable to the pertinacity with which his counsel resisted the introduction of matter which in the eye of the law is not evidence. But in this they were exercising an undoubted right, and the charge of occasioning delay may justly be retorted on the managers, for persisting in offering that as evidence which they knew to be inadmissible.*

Hastings survived the termination of his trial more than twenty years; but his days were passed in

submission, and for which I feel respect that excites it as a willing oblation from me. I now again, with all humility, present myself a subject of your justice and humanity. I am not a man of apathy, nor are my powers of endurance equal to the tardy and indefinite operation of parliamentary justice. I feel it as a very cruel lot imposed on me, to be tried by one generation, and, if I live so long, to expect judgment from another; for, my Lords, are all the Lords present before whom I originally was tried? Are not many gone to that place to which we must all go? I am told that there is a difference of more than sixty in the identity of the judges before whom I now stand. My Lords, I pray you to free me from this prosecution by continuing this trial till its close, and pronouncing a judgment during this session: if your lordships can do it, I have a petition to that effect in my hand, which, if it is not irregular, I now wish to deliver to your lordships."—There were many things in this address well and forcibly stated, and the prayer of the applicant was reasonable; but the tone of abject humiliation by which it is pervaded is more creditable to Hastings as an actor than as a man. What a contrast does his conduct at Westminster present to his bearing in Hindostan!

* Every disputed point between the managers and the counsel for Hastings rendered it necessary for the Lords to leave Westminster Hall and return to their usual place of sitting, to deliberate. These constant journeys, from the hall to the chamber of parliament, from the chamber of parliament to the hall, and the multiplied delays thereby occasioned, caused one of the peers to remark, that the judges walked, and the trial stood still.

comparative obscurity, his retirement being only occasionally broken by some feeble attempts to grasp those honours to which he held himself entitled, and which, even to the last hour of a very long life, he does not appear altogether to have despaired of attaining. When the question of the renewal of the Company's powers was, in 1813, under the consideration of the House of Commons, Hastings was called upon to give the house the benefit of his evidence. He was received with marked respect, and on his retirement the members simultaneously rose to render him honour.

No man has been more bitterly reviled, or more extravagantly praised, than Hastings; nearly all who have spoken or written of him have been fierce partizans — the calmness of unbiassed judgment has rarely been brought to the examination of his character. On one point friends and foes must agree—that he was a man of extraordinary talents—that, as far as intellectual qualifications constitute competency, he was eminently competent to the high duties in the discharge of which so large a portion of his life was passed. He was not only able but laborious; his time and thoughts were given to the business of his station without reserve, and almost without intermission. Few of his successors have equalled him in ability—none have surpassed him in industry.

He was among the first to see that England could not maintain her position in India as an isolated power. He was among the first to discern the

CHAP. XIII.

necessity of the British government forming alliances with the native states, and gradually advancing to that commanding situation which it has since attained. These views were in his time greatly unpopular in England; but experience, both evil and good, has since proved their soundness.

Hastings, too, did much to reform the internal administration of the British provinces. He found the country suffering from the consequences of a series of revolutions and a succession of weak governments. The revenue and judicial establishments were utterly ineffective, and he had to make provisions for their reform. He did not render them perfect, nor even reasonably good, but he gave them some degree of efficiency, and his labours formed the ground-work on which subsequent endeavours for their improvement have been based.

Hastings was sincerely desirous of promoting the prosperity of the country which he governed, and upholding the interests of those whom he served. But his moral constitution was defective, and the means by which he sought to promote worthy and laudable objects were often utterly indefensible. If the state wanted money, he appears to have thought himself at liberty to supply the want without inquiring as to the justice of the modes resorted to. His whole policy was based on the loosest expediency, and he never suffered himself to be fettered by a principle for a moment after it was convenient to cast it aside. With a mind of extraordinary power, he seems to have been incapable of under-

standing the plainest obligations of justice, and the defects of his moral judgment were not corrected by any delicacy of feeling. His sympathies were weak. Stately, cold, and artificial, he manifested little of human passion, except in its darker forms.* His hatred was intense, and its violence was aggravated by the lofty opinion which he entertained of himself. He had a right to think of himself highly; but no man can be justified in entertaining that contempt for the opinion of his fellow-men which he cherished, and which was manifested in so many acts of his life.†

* His character is strikingly illustrated by the large collection of his private letters which has lately appeared. Whatever the subject, they are written in the style of despatches—affording a perfect contrast in this respect to the familiar letters of Clive.

† The private character of Hastings does not fall within the province of history; but the circumstances of his second marriage so strongly corroborate the opinion expressed in the text, that a reference to them may be excused. To avoid the imputation of exaggerating the facts, they shall be related in the language of his indulgent biographer. It is necessary to premise, that they occurred on Hastings's voyage to Madras, when appointed to a seat in council there. Prior to his proceeding to Bengal as governor-general, "Mr. Hastings found among his fellow-passengers in the Duke of Grafton two individuals, with whom he soon entered into terms of familiar intercourse. These were Baron Adam Carl Imhoff, a native of Franconia in Germany, a man of good family, though reduced in his circumstances, who was going out to Madras for the purpose of following there the profession of a portrait painter, and his lady, a person of singularly attractive manners, of a very engaging figure, and a mind highly cultivated. * * * * It so happened, that between this gifted young person and her husband there was no conformity at all, either of tastes or of disposition. * * * * * * Between the Baroness Imhoff, such as I have described her, the wife of one whom she

CHAP. XIII. An absurd love of mystery for its own sake—a powerful tendency to dissemble his thoughts and purposes, and appear what he was not—a perverse fondness for accomplishing his purposes by indirect and crooked means, even when no perceivable advantage could be gained by their use—these were not

had never loved, and Mr. Hastings, one of the most fascinating as well as chivalrous men of his day, it would have been strange if a friendship had failed to arise, which gradually, and to themselves perhaps unconsciously, took from day to day a deeper colouring; for she discovered in him all the qualities, the absence of which hindered her from giving her heart where she had bestowed her hand, while he found in her more than the realization of the brightest dream which his imagination had ever ventured to form. * * * * * * They were both too high-minded to inflict on a husband an injury which never can be repaired; but they were not firm enough to hold out against the strong temptations which the laws of Protestant Germany, in reference to the marriage contract, cast in their way. Mr. and Mrs. Imhoff lived together with good repute a whole year in Madras. They acted upon the same wise and judicious plan after they followed Mr. Hastings to Bengal. Yet all this while a suit was going forward in the proper courts of Franconia for a divorce. The divorce was obtained after much delay; the Baroness Imhoff became Mrs. Hastings, and the Baron returned to his native country a richer man than he ever could have hoped to become by portrait painting."—Gleig's Memoirs of Hastings, vol. i. pages 163 to 166. On this story comment must be needless. The lady was sold by her first husband, and bought by her second. Hastings could not but know in what light such a transaction would be regarded in his own country, where the state of feelings on such matters differs from that which is represented as prevailing in "Protestant Germany;" but he either despised the public opinion, which he must have felt to be against him, or thought himself too elevated to be reached by it. Hastings was at this time nearly forty years of age, and consequently has no claim to escape censure on the plea of youth. He had also been previously married.

less striking, and scarcely less unamiable parts of his nature. In conclusion, it may be said that in the character of Hastings we may discern much to be admired—much to be condemned—nothing to be loved.

CHAPTER XIV.

CHAP. XIV.

WHEN Hastings resigned the government of Bengal, the next member of council was Mr. John Macpherson,* formerly agent to the Nabob of Arcot, in which character he had been received some years before by the Duke of Grafton, then prime minister. Mr. Macpherson, it will be recollected, had at that time given some advice to the minister too agreeable to be refused.† The gratitude of the nobleman induced him to recommend the Nabob's agent to the favour of the Court of Directors of the East-India Company, and in consequence he was appointed a writer on the Madras establishment. By some means not explained, the governor of Madras, Lord Pigot, obtained a copy of a memorial, believed to have been transmitted to the Nabob of Arcot by Mr. Macpherson, recounting various services rendered to the prince in England. It being deemed improper that such a paper should be addressed to a native prince by a servant of the British government, an inquiry into the alleged authorship took place. Mr. Macpherson's answer was evasive: the governor moved that he should be dismissed the service, and the motion was carried.

* Mr. Wheler was dead.

† Sce pages 19 to 26.

At home Mr. Macpherson's offence was regarded with greater leniency, and a case was submitted to the Company's standing counsel, requiring his opinion, whether he could be restored by a mere majority of the Court of Directors only; or whether, in conformity with the provisions of an existing act of parliament with regard to dismissed servants, the concurrence of three-fourths of the directors and three-fourths of the proprietors would be necessary for his restoration. The opinion of the Company's counsel was to the effect that the dismissal was informal, but that, nevertheless, Mr. Macpherson could not be restored by the vote of a simple majority of the Court of Directors; and he added, "it is worth while considering, if Mr. Macpherson should be restored, whether he is a proper person to be continued in the Company's service. He had, in my opinion, too much connection with the Nabob of Arcot; and when the Company's interest and the Nabob's are affected, as they will often happen, they will greatly disturb a man of honour and integrity." This opinion seems not to have been satisfactory, for, about a month after its delivery, another was obtained from the solicitor-general,* determining that Mr. Macpherson was still in the Company's service, the dismissal having been irregular. Upon this opinion the majority of the Court of Directors resolved to act, and the government of Madras was apprized that Mr. Macpherson remained in the Com-

* Mr. Wedderburn, afterwards Lord Loughborough, Lord Chancellor of England.

CHAP. XIV. pany's service with his proper standing; but it was added, "as his behaviour was disrespectful to your board, and in other respects very reprehensible, we direct that you give him a severe reprimand, and acquaint him that a like conduct will meet with a severer punishment."

The reprimand was never received, nor the danger of the severer punishment incurred. Mr. Macpherson was declared still in the service; but either he evinced no anxiety to enjoy the emoluments thus re-opened to him, or his masters hesitated to complete the measure of their indulgence by sanctioning his return to his presidency. Mr. Macpherson remained in England three years and a half, how engaged it is unnecessary to inquire. At the end of that period he was appointed a member of the council, not of Madras, to which presidency he belonged, but of Bengal, to supply the vacancy occasioned by the resignation of Mr. Barwell.[1] The appointment, under the existing state of the law, required the confirmation of the Crown: this was granted without objection, and the agent of Mahomet Ali thus became the coadjutor, and eventually the successor, of Warren Hastings.

At this time, when the eyes of all political parties were intently fixed on India, such an appointment was not likely to pass without notice. The select committee of the House of Commons instituted an inquiry into the facts, and honoured Mr. Macpherson with an elaborate report of some length, solely devoted to the illustration of his history. Mr. Mac-

pherson was young in the Company's service; but this objection to his appointment was of comparatively trifling importance. His previous conduct ought to have been regarded as an insuperable obstacle to his admission into the service at all, and his selection, by the body against whose rights and interests he had conspired for a seat in the supreme council with a chance of eventual succession to the office of governor-general, is one of those extraordinary facts which secret history alone can adequately explain. The chairman and deputy chairman of the Company were examined before the select committee, but with little advantage to the object which the committee had in view. To questions relating to the peculiar motives which had dictated the appointment, they were dumb. It is said that, when Mr. Macpherson returned to England from Madras, he afforded secret information respecting the designs of France which was highly useful, and which led, in the succeeding war, to the early and easy capture of Pondicherry. This service undoubtedly merited reward; but if it could not be avowed as the ground of the appointment, some mode of acknowledgment less open to suspicion ought to have been found. Upon the case, as related in the report of the select committee, opinions could scarcely differ. The appointment appeared utterly indefensible, and no attempt was made to defend it.

While the means by which Mr. Macpherson first raised himself to distinction cannot be too severely condemned, it is justly due to him to state that his

CHAP. XIV. exercise of the chief power in India was entitled to much praise. He applied himself vigorously to enforce necessary reforms, and to restore the credit of the Company's government. To him, in a great degree, belongs the merit of introducing order and regularity into the administration of the finances of India, which previously received little more attention than was necessary to provide for the exigencies of the passing hour. His character appears to have been that of an able and unscrupulous man—of one caring little in whose service his talents were exercised so that they were duly rewarded, but who left his employers, whoever they might be, no ground for complaint, that the interests entrusted to him had suffered either through incapacity or negligence.

During the administration of Mr. Macpherson Lord Macartney arrived at Calcutta from Madras, the government of which presidency he had recently resigned. His principal object in proceeding to Bengal was, to endeavour, by personal representation, to impress upon the superior government a sense of the difficulties in which that of Madras would be placed, in consequence of the orders from England, directing the restoration of the assignment granted by the Nabob of Arcot.* While in Calcutta, he received a despatch, announcing his

* These orders were the result of the intrigues of Mr. Paul Benfield, who was then in India, assiduously cultivating his interests with the Nabob of Arcot, and writing letters in the Nabob's name, filled with abuse of Lord Macartney. Hastings, who cordially hated Lord Macartney, seems to have derived much satisfaction from such of these epistles as were addressed to him. The

appointment as governor-general of Bengal. The distinction was flattering, as it had not been soli- CHAP. XIV.

mode in which they were manufactured is explained in a despatch, addressed by the governor and council of Fort St. George to the governor and council of Bengal, 25th May, 1783. They say, "Mr. Benfield, to secure the permanency of his power and the perfection of his schemes, thought it necessary to render the Nabob an absolute stranger to the state of his affairs. He assured his highness that full justice was not done to the strength of his sentiments and the keenness of his attacks, in the translations that were made by the Company's servants from the original Persian of his letters; he therefore proposed to him that they should, in future, be transmitted in English. Of the English language or writing his highness or the Ameer [the Nabob's second son] cannot read one word; though the latter can converse in it with sufficient fluency. The Persian language, as the language of the Mahometan conquerors and of the court of Delhi, as an appendage or signal of authority, was at all times particularly affected by the Nabob. It is the language of all acts of state and all public transactions among the Mussulman chiefs of Hindostan. The Nabob was thought to have gained no inconsiderable point in procuring the correspondence from our predecessors to the rajah of Tanjore to be changed from the Mahratta language, which the Hindoo prince understands, to the Persian, which he disclaims understanding. To force the rajah to the Nabob's language was gratifying the latter with a new species of subserviency. He had formerly contended, with considerable anxiety and, it was thought, no inconsiderable cost, for particular forms of address to be used towards him in that language; but all of a sudden, in favour of Mr. Benfield, he quits his former affections, his habits, his knowledge, his curiosity, the increasing mistrust of age, to throw himself on the generous candour, the faithful interpretation, the grateful return, and eloquent organ of Mr. Benfield. Mr. Benfield relates and reads what he pleases to his excellency the Ameer-al-Omrah: his excellency communicates with the Nabob, his father, in the language the latter understands. Through two channels so pure the truth must arrive at the Nabob in perfect refinement. Through this double trust his highness receives whatever impression it may be expedient to

CHAP. XIV. cited; it was the more flattering as Lord Macartney was unconnected with the political party then in power,* and had not been supposed to possess any large share of their confidence. The honour was, however, declined, though, as may be gathered from the statement of his lordship's biographer, not without some anticipation of its future enjoyment. The writer observes, "he had many and strong reasons for declining at this time to take upon himself the government of Bengal. The ill state of his health, broken down by the fatigues and vexations which he had undergone in his late government, required a speedy removal to his native climate. The general situation of affairs in India likewise pointed out to him the propriety, and indeed the necessity, of submitting to his Majesty's ministers certain regulations which he considered indispensable for the salvation of this part of the empire, and of laying before them those conditions on which only he felt himself able to fulfil the purposes of his appointment

make on him. He thus is surrounded on every side. He is totally at their mercy, to believe what is not true and to subscribe to what he does not mean. There is no system so new, so foreign to his intentions, that they may not pursue in his name, without possibility of detection; for they are cautious of who approach him, and have thought prudent to decline for him the visits of the governor, even upon the usual solemn and acceptable occasion of delivering to his highness the Company's letters. Such is the complete ascendancy gained by Mr. Benfield!" Mr. Benfield was a great artist, but similar means of preying on native princes have often been adopted by unprincipled Europeans, though rarely, perhaps, used with equal skill, or attended by equal success.

* That of Mr. Pitt.

with advantage to the public and reputation to himself. Other circumstances, which applied peculiarly to himself, rendered every precaution on his part, if not necessary, at least expedient."* These circumstances appear to have been his dislike or distrust of the associates with whom, if he had accepted the office of governor-general, he would have been obliged to act; and, under the influence of all these motives, Lord Macartney determined to leave Mr. Macpherson in continued possession of the seat of power. On his lordship's arrival in England, he entered into immediate communication with the chairman and deputy chairman of the East-India Company, with the view, as it would appear, of preparing the way for his appointment to the office of governor-general, under conditions which would remove his previous objections to accepting it. Lord Macartney alleged that the necessary subordination of the military to the civil authority was not sufficiently provided for; he represented that great abuses still existed in the civil service, and complained especially of the power possessed by the majority of council of thwarting the designs of the governor-general.† To the parties then exercising

* Barrow's Life of Lord Macartney, vol. i. page 305.

† The inconvenience arising from this source was remedied by an act passed in the year of Lord Macartney's arrival in England, and probably in consequence of his lordship's representations. The 26 Geo. 3, cap. 16, gave to the governor-general and the governors of the subordinate presidencies the power of performing, without the concurrence of a majority of council, any act which would have been lawful with such concurrence, excepting the exercise of judicial or legislative authority, or the imposition

CHAP. XIV. the highest civil and military authority in Bengal he had personal objections, which he thought rendered it inexpedient that they should be members of a government of which he was to be the head. The views of Lord Macartney on these points having been communicated to the ministers of the Crown, he was invited to an interview with Mr. Pitt and Mr. Dundas. No important difference appears to have existed on the points which had been previously discussed with the chairman and deputy chairman of the Company, but a difficulty arose from Lord Macartney intimating that it would be necessary, for his own reputation and the benefit of the public service, that he should receive some distinguished mark of the favour of the Crown, and that he had hoped that Mr. Pitt had been prepared to anticipate the expression of his desire for an English peerage.* This desire the minister was not willing to gratify; and three days after the conference, Lord Cornwallis was appointed governor-general of Bengal. This nobleman had some years before been referred to by name in the House of Commons, as eminently fitted for the situation.†

of any tax or duty. The act by which this power was first given has been repealed, but the power has been continued by subsequent enactments and still exists.

* Lord Macartney being an Irish peer.

† By Mr. Dundas, to whose influence, as president of the Board of Commissioners, the appointment may be attributed. Lord Macartney appeared no more on the field of Indian politics, but his proceedings as governor of Madras led to his being engaged in a duel in this country with General Stuart, whom he had forcibly removed from the command of the army and sent home under arrest. The

Lord Cornwallis found in the administration of the Bengal government much that required immediate correction. Hastings had made some provision for the maintenance of the public peace, and

meeting was sought by General Stuart, and the ground of it was an alleged misrepresentation contained in a despatch forwarded from Madras to the Court of Directors, and signed by Lord Macartney and the other members of the government. In that despatch it was stated that, when General Stuart was removed from the command of the army, Sir John Burgoyne acknowledged to the governor that he was desired by the general to feign compliance with the wishes of government that he (Sir John Burgoyne) should accept the command, but added, that he disdained such a course, and therefore gave notice that he should obey General Stuart's orders. Sir John Burgoyne subsequently denied having made any such statement as to General Stuart; and several persons present at the conversations between the governor and Sir John Burgoyne affirmed that they had not heard it. Lord Macartney insisted that it had been made, and referred to Sir George Staunton as remembering it. Captain Cole, an officer in the King's service, also testified that he had heard Sir John Burgoyne make a similar statement in another place. It is neither easy nor important to determine on the balance of evidence; if numbers were to decide, the verdict must pass against Lord Macartney. At the hostile meeting to which the dispute led, his lordship was wounded in the shoulder. General Stuart not thinking (as is to be presumed) the wound sufficiently severe to soothe his injured feelings, expressed much anxiety that his lordship should endeavour to fire another pistol, and Lord Macartney, according to the statement of the seconds, intimated that it would give him pleasure to gratify the general: but the seconds would not permit it, and the affair thereupon terminated. It was believed that General Stuart meditated renewing the dispute at a future time, but further proceedings were stopped by a special injunction from the sovereign.

This was not the only business of the like character in which Lord Macartney was engaged. In India, he had been involved in a dispute with Mr. Sadleir, a member of the government, and the senior of the three commissioners employed in negotiating the

CHAP. XIV. for the management of the revenue, but corruption and abuse pervaded every department of the state. Some of the existing evils Hastings had perhaps little inclination to correct. As an instance, may be mentioned, the prevailing practice of gratifying followers and dependents by lucrative agencies, which was a mode of purchasing friends and supporters too convenient to be despised by a man who needed all the strength which he could enlist in his service to stem the current of opposition which not unfrequently set against him in India, and shield him from the dangers which he was conscious awaited him at home. When no such motives interposed, the evils, which were allowed to increase and multiply, derived impunity, not from the disinclination of Hastings to correct them, but from his want of power or of opportunity. Placed, during a great part of his career as governor-general, in conflict with his colleagues, engaged in vast and wide-spread military operations requiring constant thought and giving rise to constant anxiety, it is rather surprising that he should have found time to do any thing for the improvement of the internal administration of

treaty with Tippoo Sultan. Mr. Sadleir, it was alleged, had given his consent to a particular act of the government—he denied it, and the governor, whose command of temper on this occasion does not appear entitled to much praise, repelled Mr. Sadleir's assertion by the strongest expression in which an imputation of falsehood can be conveyed. A challenge from the insulted party was the consequence; and in the meeting which followed, Lord Macartney was slightly wounded in the left side. To a duel under such circumstances, the observations which have been made on that between Hastings and Francis strictly apply.

the country, than that he should not have done more or better. The government of Lord Cornwallis was not free from the distractions of war, but in one respect his position had a decided advantage over that of Hastings. The unavoidable difficulties of administering the affairs of the country were not aggravated by the infusion of faction. In combating with the evils, which circumstances had allowed to attain a gigantic stature, he feared no unreasonable opposition either at the council board or at home. The earlier years of his administration being undisturbed by war, opportunity was found for considering such changes as appeared to be necessary in the administrative system of the country. Whether or not these were in every instance judiciously effected, has been matter of debate. Some notice will be taken of the more important of them before the history of the government of Lord Cornwallis is brought to a close.

Among the external relations of the Company's government, those subsisting with Oude soon claimed Lord Cornwallis's attention. The ever unsatisfactory state of that unhappy country was certain, indeed, of furnishing subject of appeal to a new governor-general. Lord Cornwallis made some modifications in the existing arrangements, but declined to comply with the Vizier's request for the withdrawal of part of the English force stationed for the protection of his dominions. The relation now established between the two states was that which has since been so widely extended—a sub-

CHAP. XIV. sidiary alliance; and its nature is thus described by the governor-general:—"We undertake the defence of his country; and, in return, he agrees to defray the real expenses incurred by an engagement of so much value to himself. The internal administration of his affairs is left to his exclusive management."

With Nizam Ali there were some differences to be adjusted, and these not unattended by difficulties. Basalat Jung, the brother of the Nizam, who, it will be recollected, had a life interest in Guntoor, one of the Northern Circars, was dead, but Guntoor had not been surrendered to the English, to whom the reversion belonged, though possession had been demanded. It remained for Lord Cornwallis to repeat and enforce the demand. An agent of the British government was accordingly dispatched to the court of the Nizam; and that his mission might want no auxiliary to success, a military force was put in motion in the direction of the circar claimed. Nizam Ali made little opposition to the demand for its transfer, and this part of the negotiation was brought to a conclusion with greater ease than was expected. But so long as the circar had been withheld from the English, after the event which gave them a claim to possession, they had neglected to pay the Nizam's peshcush, or tribute, while he, for the same period, had received the revenues of Guntoor. To settle these accounts, one of the ministers of the Nizam proceeded to Calcutta. Besides the ostensible motive for his

journey, there was another—the desire of concluding such engagements with the English as should secure their aid, in case the Nizam should be attacked either by Tippoo Sultan or the Mahrattas. He had not long before been engaged, in conjunction with the Mahrattas, in war with Tippoo Sultan,* but had little cause to be proud of his success. Peace had been restored, and Nizam Ali proposed an indissoluble union between the Sultan and himself. The answer of Tippoo was favourable, but he required that the connection should be cemented by intermarriage between the families. The pride of Nizam Ali recoiled from this proposal, and thus the effect of his overture for a political alliance tended to alienate rather than unite the two great Mahometan powers of the south of India. Instead of conciliating the friendship of Tippoo, he felt that he had increased the enmity of that potentate. His increased danger added to his ardour for an English alliance, but the manacles which bound the hands of Lord Cornwallis seemed to preclude him from compliance. The English in India had been involved in some unjust wars, and with that headlong wilfulness with which popular opinion tends to rush to extremes, the English parliament and the English people seem to have concluded that every war

* Had Hastings remained in India with the power to give effect to his wishes, the English would probably have been a party to this confederacy. Pacific policy was, however, the fashion of the day, and Lord Cornwallis took extraordinary pains to make known that the government would enter into no such connection.

CHAP. XIV. waged by Europeans in India must be unjust. Parliamentary speeches, parliamentary resolutions, and parliamentary reports, denounced the pursuit of conquest, and thus far no objection can be taken to the views which they embodied. But when those who thus cheaply earned popular applause proceeded to deprive Indian statesmen of the power of effectually serving their country and maintaining the security of its dependencies, they manifested either a total ignorance of the position of the British nation in India, or a culpable disregard of its interests. By an Act of Parliament, passed not long before the departure of Lord Cornwallis for his government,* after reciting that "to pursue schemes of conquest and extension of dominion in India are measures repugnant to the wish, the honour, and policy of this nation," it was declared that it should not be lawful for the governor-general and council, without the express command and authority of the Court of Directors or the Secret Committee, to declare war, or commence hostilities, or enter into treaty for making war, or guaranteeing the possessions of any country powers or chiefs, except in cases where hostilities should actually have been commenced, or preparations made for their commencement against the British nation in India, or some power or state whose territories the Company were bound to defend. This enactment seemed to preclude the gratification of Nizam Ali by any new engagements, and what were those actually subsisting

* 24 Geo. 3, cap. 25 : Mr. Pitt's India Act.

between the two states it was by no means an easy task to determine. In 1768 the English government had concluded a treaty with Nizam Ali, in which they accepted from that prince the dewanny of part of Hyder Ali's dominions, subject to their conquest, and the payment of a certain amount of tribute.* But in the following year they had negotiated with Hyder Ali as the lawful master of the territories which he governed, and in that character had concluded a treaty with him;† and fifteen years afterwards they had, in like manner, recognized the claims of Hyder Ali's son, Tippoo Sultan.‡ Did these engagements with the successive rulers of Mysore nullify their former agreement with Nizam Ali, which acknowledged his right to dispose of Hyder Ali's dominions, and accepted a free gift of them? Lord Cornwallis decided that they did not—that the treaty of 1768 was yet in force. What then became of the arrangements with Hyder Ali and Tippoo Sultan? The English might abandon their own claims to the dewanny, but they could not abandon those of Nizam Ali to the sovereignty, if any claim he had. The difficulty was attempted to be met by a declaration that circumstances had totally precluded the execution of the article relating to the dewanny, and a promise that if it should happen that the Company, with the Nizam's assistance, should gain possession of the country, the claims of that prince should be respected, as well as

* See vol. i. page 554. † See vol. i. page 573.

‡ See page 290.

CHAP. XIV. the right of the Mahrattas to *chout*; for this the British government, by the treaty of 1768, undertook to pay, although the Mahrattas were no parties to the treaty. The governor-general thus recognized the cotemporary operation of two treaties, to both of which the Company was a party; one acknowledging the right of Tippoo Sultan to certain territories, the other transferring those territories to the English.

This was not all. By the treaty with the Nizam, the English were bound to furnish that prince with a certain amount of military force. An explanation of this article was afforded by the governor-general, in which it was declared that the stipulated assistance should be granted whenever the Nizam might apply for it; but it was not to be employed against any powers in alliance with the Company. To guard against mistake, these favoured allies were named, and the list comprehended every power of any importance in the south of India except one—the exception was Tippoo Sultan. The views of that restless and unprincipled tyrant afforded just ground for apprehension, but the governor-general was precluded by Act of Parliament from entering into any treaty which should place the British government in a condition to contend with him effectually. An evasion was therefore resorted to. It was thought desirable to conciliate the Nizam, and secure his co-operation as an ally; and to attain this object, an old treaty, portions of which had been virtually rescinded by the treaties made by the English with

Hyder Ali and Tippoo, was declared still to be in full operation, and a letter was written to the Nizam, confirming and explaining it. This letter, it was explicitly declared, was to be equally binding as a treaty. If it had been an object to devise means to embarrass the British government in India, to divest it of the power of defending the Company's possessions, or compel a recourse to pitiful subterfuges to avert their loss, no means more efficient could have been found than the ill-considered and absurd enactment by which the governor-general was required to defer preparation for war till preparation would probably be vain. In addressing the resident at Poona, a few months after the transmission of his letter to the Nizam, Lord Cornwallis said, "Some considerable advantages have no doubt been experienced by the system of neutrality which the legislature required of the governments of this country, but it has, at the same time, been attended with the unavoidable inconvenience of our being constantly exposed to the necessity of commencing a war without having previously secured the assistance of efficient allies." In reference to the conduct of Lord Cornwallis on this occasion, Colonel Wilks remarks, that "it is highly instructive to observe a statesman, justly extolled for moderate and pacific dispositions, thus indirectly violating a law enacted for the enforcement of these virtues, by entering into a very intelligible offensive alliance, which, although the effective revival of the abrogated conditions of an old treaty, was certainly

CHAP. XIV. neither a declaration of war, nor that technical instrument named a treaty for making war, executed subsequently to the prohibiting Act of Parliament."* "The desire, indeed, of not offending against the letter of the Act of Parliament," says Sir John Malcolm, "would appear, on this occasion, to have led to a trespass on its spirit by the revival of an offensive alliance against Tippoo Sultan, for such the treaty of 1768 undoubtedly was." "There is no person," he subsequently observes, "acquainted with the nature of the times in which this engagement"—the engagement with the Nizam—"was formed, but must be sensible that every measure of precautionary policy was then necessary on the part of the British government to counteract and frustrate the ambitious designs of Tippoo Sultan; but what has been stated will shew that the literal construction of the restrictions of the Act of Parliament had, upon this occasion, the effect of making the governor-general pursue a course which was perhaps not only questionable in point of faith, but which must have been more offensive to Tippoo Sultan, and more calculated to produce a war with that prince than an avowed contract of a defensive engagement, framed for the express and legitimate purpose of limiting his inordinate ambition."† Such were some of the effects of legislating for India, in a spirit which could discern nothing but the lust

* Sketches, vol. iii. page 38.

† Sketch of the Political History of India, ed. 1811, pages 66, 68, 69.

of conquest in Englishmen, nothing but justice, moderation, and patient endurance in the native princes of India.

The exception of Tippoo Sultan from the number of princes against whom the English battalions furnished to the Nizam were not to act, marked the point from which the governor-general apprehended danger. The course of events proved that the apprehension was not groundless. By the treaty of 1784, the peace concluded with Tippoo Sultan was to extend, not to the English alone, but to their allies; and among these the Rajah of Travancore was specially named. Tippoo Sultan, however, meditated the conquest or dismemberment of Travancore; and, to save appearances, made repeated attempts to attain his purpose through the instrumentality of others. He had endeavoured to prevail on the Zamorin of Calicut to invade Travancore, in prosecution of some antiquated claims; and would probably have succeeded, had he not offended the Hindoo prince by his furious zeal for making compulsory proselytes to the Mahometan faith. He next sought the assistance of the Rajah of Cochin, whom he instigated to reclaim the territory on which the lines of Travancore were formed. These lines had been constructed principally upon a strip of land ceded many years before by the Rajah of Cochin to the Rajah of Travancore, in compensation for assistance rendered by the latter prince in resisting an invasion of the territories of the former by the Zamorin of Calicut. Alarmed by the intelligence of

CHAP. XIV. the hostile views of Tippoo Sultan, the Rajah of Travancore applied to the government of Madras for assistance; and Sir Archibald Campbell, who had succeeded Lord Macartney as the head of that presidency, promptly granted it. He at the same time addressed a representation to Tippoo Sultan, warning him that any act of aggression upon Travancore would be regarded by the English government as a violation of the treaty of 1784, and equivalent to a declaration of war against that government. To this Tippoo responded by professing a desire to maintain relations of amity with the English state. His acts, however, did not correspond with his professions; for a few months afterwards he commenced his march in the direction of Travancore, with a force of about thirty-five thousand men.

On an estuary at one extremity of the lines of Travancore were situate two forts belonging to the Dutch, named Cranganore and Ayacottah. On the approach of Tippoo, the Dutch, under the provisions of a treaty of long standing, called upon the Rajah of Travancore to assist them in the defence of these places. With this requisition he was ready to comply; but Mr. Hollond, who by the departure of Sir Archibald Campbell had become acting governor of Madras, informed the rajah that the English battalions could not be permitted to be employed, except upon such parts of the line of defence as actually belonged to Travancore. To overcome this difficulty, the rajah resumed a negotiation, which had been commenced some time before, for the purchase of

the two forts from the Dutch, and a bargain was concluded. Against this transfer Tippoo Sultan remonstrated; alleging that the Dutch had no right to sell the forts, inasmuch as they were but tributaries to the Rajah of Cochin, who was himself the tributary of Tippoo, and that consequently they had assumed the right of alienating part of the possessions of Mysore. Mr. Hollond appears to have yielded a very willing ear to the representations of Tippoo Sultan; he condemned the purchase, and encouraged the Sultan to expect that the places would be restored. The assertions of the Mysorean prince were, however, monstrous falsehoods. The Dutch had originally obtained the disputed possessions by conquest from the Portuguese; they had held them for more than a century; they had never paid tribute to the Rajah of Cochin, or acknowledged his superiority; and the dependence of that prince upon Mysore, so far from preceding the acquisitions of the Dutch, had its origin in the conquest of Hyder Ali, and had not continued more than twelve years. The right of the Dutch to sell, it was reported and believed, had also been recognized by the man who now impugned it. Tippoo Sultan, it was alleged, had offered to become a purchaser; and had the Rajah of Travancore delayed the completion of the treaty, his enemy, it was probable, would in this way have possessed himself of increased means for his destruction.

Tippoo found various other grounds of complaint, which were the subject of long and fruitless discussion.

CHAP. XIV. The English government proposed the appointment of commissioners for the investigation of the points of dispute; but Tippoo Sultan had resolved to submit the question to a different and more decisive arbitration. He had for some time been gradually approaching the lines, part of which formed the principal subject of dispute. On the night of the 28th
A. D. 1789. of December, 1789, he marched to attack them, and gained a considerable extent of rampart. The Travancore troops retreated before him; but his leading corps having suffered severely, an attempt was made to relieve it by another. Before this movement was completed, the fire of a party of about twenty men, posted under a thick cover, fell heavily on the corps about to be relieved, and killed the commanding officer. The whole were immediately thrown into inextricable disorder, and rushing wildly back upon the corps advancing to their relief, threw them also into confusion.

Panic now became general; and the living torrent was borne on to a ditch, over which some of the fugitives leaped, while others were forced into it by the resistless masses which pressed on them from behind. The bodies of these formed a road, over which their comrades passed, and thus miserably did numbers of Tippoo's troops perish. The Sultan was thrown down in the struggle—the bearers of his palanquin trampled to death—himself rescued from the same fate only by the vigorous exertions of some active and faithful followers, and this not until he had received injuries from

the effects of which he occasionally suffered till his death. CHAP. XIV.

Contemplating the probability of war, Lord Cornwallis had instructed the Madras government to be prepared for it. The instruction was disregarded; and even after the attack on the lines of Travancore, the same course was pursued, with alleged reference to economy. The value of this motive was duly appreciated by Lord Cornwallis. Referring to it at a period when the governor guilty of this inexplicable folly had no longer the power of doing good or harm, he said, "So far am I from giving credit to the late government for economy in not making the necessary preparations for war, according to the positive orders of the supreme government, after having received the most gross insults that could be offered to any nation, I think it very possible that every cash* of that ill-judged saving may cost to the Company a crore of rupees." Another distinguished authority, Sir Thomas Munro, then a subaltern in the Madras army and a very young man, but manifesting the germs of that talent and judgment which subsequently raised him to rank and power, passed a similar sentence upon the ill-judged parsimony of the Madras government. In a private letter written at this period, he says, "It will require some time to assemble an army able to face the enemy, and before such an army can be put in motion Tippoo may be in actual possession of Travancore and all

* A Madras copper coin of inconsiderable value.

CHAP. XIV. the southern countries. We have derived but little benefit from experience and misfortune. The year 1790 now sees us as unprepared as the year 1780 did for war." "We shall commence the war," he subsequently observes, "under the disadvantage of a want of magazines, for we have none at present but at Madras. Since the conclusion of the late war we have acted as if we had been to enjoy a perpetual peace. The distresses and difficulties which we then encountered from the want of them has not cured us of the narrow policy of preferring a present small saving to a certain though future great and essential advantage." The same miserable policy which had disgraced the Madras government before the attack of Tippoo on the lines of Travancore, continued to be pursued after that event. Towards Tippoo they maintained a friendly, and even obsequious deportment; and, instead of making any endeavour to remedy the evils resulting from their past errors, they vigorously contested the propriety of the views entertained in Bengal, and defended the right of Tippoo to restrain the sale of the Dutch fortresses. Lord Cornwallis was about to proceed himself to assume the administration of the government of Madras, but the supercession of Mr. Hollond by the arrival of General Medows, recently appointed governor, led to the postponement of his visit.

The British government must now be regarded as at war with Tippoo Sultan. The actual commencement of hostilities relieved them from the difficulty

imposed on them by the law, which, though it forbade the government to prepare for war, did not proceed so far in absurdity as to restrain them from seeking the means of carrying it on when actually commenced. The ridiculous pretence of upholding the engagements concluded with Nizam Ali in 1768 was now dropped, and a new treaty of offensive and defensive alliance concluded with him. A similar treaty was made with the Peishwa. The accession of both powers to the alliance was accelerated by the expectation of recovering from Tippoo the possessions of which they had been deprived by himself and his father. CHAP. XIV.

Before these arrangements were completed, a British army, under the command of the governor of Madras, General Medows, of about fifteen thousand men, formed into six brigades, was assembled on the plains of Trichinopoly. There, on the 24th of May, it was joined by the governor, who, on the 26th, marched in the direction of Caroor, the nearest frontier post of the enemy. General Medows, some time before, had addressed a formal letter to Tippoo Sultan, announcing his arrival and assumption of the office of governor of Madras. The answer of the Mysorean prince was not received until the general was on his march. Its tone was greatly subdued in comparison with that of the Sultan's communications with Mr. Hollond. In answer to the proposal of the latter for appointing commissioners to settle the matters in dispute with regard to Travancore, Tippoo had declared that he had him- A. D. 1790.

CHAP. XIV. self ascertained the facts, and that there was no need of commissioners; but, he added, that, nevertheless, if Mr. Hollond wished it, he might send commissioners "to the presence." It was now the lot of Tippoo to make a similar offer to the English governor. In his letter to General Medows, after congratulating that officer on his arrival and appointment to the government, he remarked with a tone of concern, that, "notwithstanding the bonds of friendship" were "firmly established, in consequence of the intervention in certain necessary and important concerns, and the representations, contrary to the fact, of certain short-sighted persons to" the governor, they had "caused an army to be assembled on both sides. As this event is improper," continued the Sultan, "among those who are mutually at friendship, I therefore wish, in order to clear it up and to have certain important matters represented, to send to you a person of dignity, together with some other persons, that the vakeel of the circar, having arrived with you, may explain the whole circumstances to you, and that the dust which has obscured your upright mind may be removed." The answer of General Medows was short and decisive. Its purport was, that the English, equally incapable of offering an insult and of submitting to one, had always looked upon war as declared from the moment of the attack upon their ally, the Rajah of Travancore, and upon that issue the dispute now rested. The Sultan received the answer of the governor at Coimbatore, and as soon as it reached

him, he retired with his main army to his capital, Seringapatam.* He had provoked war without being prepared to meet it. He had calculated on passing the lines of Travancore with ease, and then overrunning the country. After his unexpected failure, the obsequiousness of the government of Madras had led him to believe that he was still an object of dread, and his tone rose proportionately in self-confidence and haughtiness. The assembling of the English army, and the decisive conduct of General Medows, shewed him that the new governor was ready to assert with the sword the rights of his country and those of its allies; and Tippoo Sultan, having tried to gain some advantage by procrastination, acknowledged his weakness by a retreat, which left a large tract of country almost undefended. All this was highly characteristic of Tippoo Sultan. His father, Hyder Ali, was master of his passions, and to this cause his success is mainly to be ascribed. Tippoo, on the contrary, was the slave of his passions. Intoxicated with pride, he seems, on many occasions, to have thought that he had only to will in order to obtain. Reverses produced on him their usual bitter effects, but unaccompanied by any portion of that wholesome change of spirit which, in better natures, they have a tendency to effect. Unaffected by misfortune, except during its actual pressure, Tippoo Sultan recovered from it only to

* The pride or caprice of Tippoo had led him not only to abandon but to destroy Mysore, the ancient capital of the country bearing the same name.

CHAP. XIV. launch into fresh extravagances, and thus prepare for himself fresh disappointment and humiliation.

The British army advanced to Caroor, which was abandoned on their approach. From the defects of the commissariat department their progress to this place was slow; but they met with no annoyance, except from the desultory attacks of parties of the enemy's horse, and from the weather. Their course lay over arid plains, under the operation of a powerful wind raising clouds of dust which obscured the face of day, and which being inhaled with every act of respiration, laid the foundation of serious disease. From this cause, on the arrival of the army at Caroor, no less than twelve hundred men were placed in hospital there.

The capture of Caroor was followed by that of Aravacourchy, a weak place, which offered no resistance beyond the discharge of two guns on the approach of the British advanced guard. The killadar, on being summoned to surrender, earnestly requested permission to save his credit with the Sultan by a few more discharges, kindly promising that no damage should arise to the British party.* Notwithstanding this pledge, and the danger in which the killadar's honour was placed, his request was refused, and the English took possession of Aravacourchy without any further resistance, either real or pretended. The surrender of Daraporam, another weak place, followed. Here a depôt was formed; a number of sick were left in hospital, and

* Mackenzie's Sketch of the War with Tippoo Sultan.

some heavy stores and camp equipage deposited, to enable the army to move with as little incumbrance as possible. A brigade was left for their protection, and the army marched to Coimbatore, where they arrived on the 21st of July. CHAP. XIV. A. D. 1790.

From this place an advanced force, under Colonel Stuart, was detached to attack Palligaut; but the route taken was nearly impracticable from the effects of heavy rains, and Colonel Stuart fell back without effecting his object. An attack on Dindigul, conducted by the same officer, was more fortunate. Against this place batteries were opened on the 20th of August, and by the evening of the 21st, a breach, though a very indifferent one, was effected. Imperfect as it was, Colonel Stuart resolved on risking an immediate assault—a determination taken with reference to the remaining stock of ammunition. The continuance of the firing for two hours longer would have consumed all the shot of the English, and a fresh supply could not have been obtained in less than a week. The assault was made with great gallantry, and repelled by the killadar at the head of his men with equal vigour and spirit. The English were foiled, and compelled to retire; but at this moment, greatly to their surprise, a white flag was displayed on the breach, and an offer was made to surrender, on condition of security to persons and private property. This was the more extraordinary, as the killadar had met an invitation to surrender on favourable terms by threatening, if any similar message were subse-

CHAP. XIV. quently sent, that he would blow the messenger from a cannon. The change in his resolution is attributed to his having been abandoned by part of his garrison.* It was fortunate for the English that neither the killadar nor his men were aware of the cause which led to the premature assault.

On his return to Coimbatore, Colonel Stuart was again dispatched to attack Palligaut, but with augmented means, and by a more practicable route. Batteries were opened at daylight on the 21st of
A.D. 1790. September. In less than two hours the fort was silenced, and by the evening a practicable breach was effected. But the necessity for an assault was spared. Some English officers, engaged in reconnoitring, observed a defenceless part of the works, of which possession was immediately taken; and on the following morning the place capitulated on conditions, one of which was protection against the fury of the Nairs, who had joined Colonel Stuart, and were serving in the siege. These were natives of Malabar, on whose countrymen Tippoo Sultan had exercised great cruelties. It was apprehended that they would rejoice in an opportunity of taking revenge on the troops of their oppressor, and it required some effort to restrain them.

Eroad had previously surrendered to an English detachment under Colonel Oldham. The greater part of the troops employed in this service subsequently joined a corps commanded by Colonel Floyd, whose general operations were confined to

* Mackenzie's Sketch of the War with Tippoo Sultan.

the south of the river Bahvâny. By a detachment from that corps Sattimungul was taken, with little trouble and no loss. Sattimungul is but a few miles distant from the foot of the pass of Gugehutty. Through that pass Tippoo Sultan and his army began early in September to descend. Rumours of his approach were soon afloat, which appear at first to have received little credit; but their accuracy being confirmed by testimony that could scarcely be doubted, Colonel Floyd forwarded the intelligence to General Medows, and accompanied the communication by a suggestion that the advanced corps of the army should fall back upon head-quarters. Either from the report of Tippoo's descent being disbelieved, or from some other cause, the suggestion was rejected, and Colonel Floyd was ordered to maintain his position. On the thirteenth of September, a large body of the enemy's army passed the ford of Poongar; and the British picquets, which had been sent out to patrol, were driven in by Tippoo's force. A regiment of horse, which had been dispatched to support them, was surrounded, and compelled to take post among some enclosures till relieved by the rest of the British cavalry. The English now became the assailants; several hundred of the enemy were put to the sword; and, the field being completely cleared, the victors returned to camp. They had scarcely dismounted, when the enemy's columns were discovered advancing in great force. The line was instantly formed, and a cannonade commenced on

A. D. 1790.

CHAP. XIV. both sides, which lasted throughout the day.* At sunset the enemy drew off their artillery, which left Colonel Floyd opportunity to deliberate on his future course.

Tippoo had withdrawn his army to a position about six miles from the place of action; but from the inaptitude of a native force to execute movements by night, and from the fall of torrents of rain, which had not extended to the British position, a large part of the troops had failed to find their places in the line, and great disorder prevailed. Colonel Floyd was not aware of these circumstances, or he might have been tempted to renew the conflict, and by taking the enemy unprepared he might probably have defeated them. As it was, he had recourse to a council of war, and the opinion of the majority being in favour of retreat, preparations were made for withdrawing the garrison from Sattimungul, and proceeding to join General Medows. Some reprehensible delay took place in evacuating the fort,† and the retreat was thus retarded. When

* This cannonade gave occasion for one of those graceful expressions of fidelity, of which so many instances have occurred among the native troops. Colonel Floyd, in passing along a part of the line which had suffered most severely, expressed to the native officers his regret at the loss sustained. The answer was—"We have eaten the Company's salt; our lives are at their disposal, and God forbid that we should mind a few casualties." Such is the language of the native troops; and its sincerity has been constantly attested by evidence far more convincing than professions.

† Sir Thomas Munro says that the officer in command was drunk.—Gleig's Life of Munro, vol. i. page 97.

it commenced, the infantry proceeded in one column, the cavalry in another, and the baggage in a third: but the nature of the country soon compelled a change, and the whole was formed into a single column, the cavalry leading.

On hearing of the march of the British force, Tippoo ordered his troops to be put in motion for immediate pursuit; but the order was obeyed with little promptness, and the day was considerably advanced before the progress of the English was seriously interrupted. The cavalry were two or three miles in advance of the infantry, against whom the whole force of Tippoo was directed. The firing brought them back to the succour of their companions, and by a fortunate mistake, similar to that which once disappointed Hyder Ali of the success which seemed within his grasp,* the son of that conqueror was now induced to desist from an attack in which he had greatly the advantage in point of numbers. A troop of cavalry was mistaken for the personal guard of General Medows, and a report of his arrival spreading rapidly through the British ranks, was received with enthusiastic cheers, with the cause of which the enemy were not long in becoming acquainted. The Sultan, giving credit to the report, which reached him just at the moment when he had received intelligence of the death of Burkar-oo-deen, a favourite relative, and one of his bravest officers, drew off his army, and left the corps of Colonel Floyd at liberty to pursue its

* See vol. i. page 562.

CHAP. XIV. march unmolested. On the 16th of September a junction was effected with the army under General Medows, which was soon afterwards further reinforced by the arrival of Colonel Stuart's division after the capture of Palligaut.

The object of General Medows was to bring Tippoo to a general action. The Sultan was most anxious to avoid this, and for several weeks he evaded the endeavours of the English commander. During this period Tippoo repossessed himself not only of Sattimungul, but of Eroad and Daraporam. At length, alarmed by the progress of an English army in Bramâhal, he dispatched thither the greater part of his force, the residue being left to watch the motions of General Medows. The army whose operations drew Tippoo's attention to Bramâhal was distinguished by the name of the central army, and had originally been commanded by Colonel Kelly. The death of that officer had transferred the command to Colonel Maxwell, who found himself at the head of nine thousand five hundred men. He

A. D. 1790. entered Bramâhal on the 24th October, and early in November he fixed his head-quarters near Caveripatam. The appearance of considerable bodies of light cavalry soon indicated the approach of the Sultan's army, and by the middle of the month it appeared in full force. In the meantime General Medows had marched to form a junction with Colonel Maxwell; and his purpose was effected about three days after Tippoo's appearance. The remainder of the campaign was occupied in marches,

occasionally varied by skirmishes of no importance, CHAP. XIV.
the detail of which would be tedious without being instructive. Some overtures for negotiation proceeded from Tippoo; but they were made without sincerity, and ended in nothing. Lord Cornwallis had determined to assume the command of the British army, on the alleged ground that his presence in the scene of action would be to the native allies a pledge of sincerity and of confident hope of success against the common enemy.

In the conduct of the war up to this period, little of military skill had been displayed, and little advantage gained to the cause of the allies. General Medows arrived with his army at Velout, eighteen miles from Madras, on the 27th January, and on A.D. 1791.
the 29th Lord Cornwallis assumed the command. On the 5th February he commenced his march from Velout, and on the 11th the army was concentrated near Vellore. Tippoo Sultan had been engaged in negotiating with the French governor at Pondicherry for assistance; but on receiving intelligence of the march of the British army, he moved rapidly to the defence of the passes into his territories. By a series of judicious feints, the Sultan was deceived as to the point at which it was intended to penetrate, and a large British force, completely equipped and provisioned, was thus enabled to gain the table-land of Mysore without firing a shot.

The first object of the English general was the reduction of Bangalore. The pettah, or town, which was of considerable extent, lay to the north of the fort, and this was the primary object of attack. It

CHAP. XIV. had several gates, one of which being selected for assault, the requisite preparations were made, the field artillery and six battery guns being placed under Colonel Moorhouse, a highly distinguished officer. The first barrier was gallantly carried, and it was expected that the application of a field-piece would soon force the gate. This was found ineffectual, and some eighteen-pounders were brought up, which slowly performed the desired work. In the meantime a vigorous fire of musketry and rockets from the turrets galled the English troops; it was borne, however, with the greatest steadiness: the shattered fragments of the gate were torn away after each discharge; and an opening, though a small one, being at length made, an English lieutenant, who is represented as being of very diminutive size and stature,* was raised on the shoulders of some grenadiers, and passed through. General Medows, who was present, called on the troops to "support the little gentleman;" they responded to the call, and the place was carried.

Tippoo Sultan, who with his army was in the immediate neighbourhood, was alike astonished and irritated at this result, and orders were given to the killadar of the fort to recover possession of the pettah at all risks. They were obeyed with great spirit and gallantry, and the streets of the town were, for a lengthened period, the scene of a determined and doubtful conflict. So long as it was maintained by firing, little advantage was gained on either side. It was finally decided by the bay-

* Lieutenant Ayre, of the 86th regiment.

onet, with which the Mysoreans were driven from every post, and compelled to seek refuge in the fort, with a loss of two thousand in killed and wounded. The loss of the English was not great; but among the killed was Colonel Moorhouse, who fell at the gate. He had risen from the ranks; "but nature," says Colonel Wilks, "had made him a gentleman—uneducated, he had made himself a man of science; a career of uninterrupted distinction had commanded general respect, and his amiable character universal attachment." His memory was honoured by a public funeral and a monument erected at the expense of the Company in the church of Madras.

The capture of the pettah was followed by preparations for obtaining possession of the fort. Batteries were erected, a breach made, and, on the night of the 20th of March, a storming party advanced in silence to the attack. They had made some progress before the garrison took the alarm; but the resistance offered to the assailants, though late, was fierce and powerful. The killadar, Bahadar Khan, a distinguished soldier, in whom the pressure of seventy years had not quenched the fire of military ardour, nor seriously diminished his personal ability to obey its suggestions, was in a moment at the head of his men. But his courage was unavailing. The assailants established themselves on the ramparts, and, after a contest of an hour, the fort of Bangalore passed from the hands of Tippoo Sultan into those of the English. The loss on the part of the garrison was severe; more than a thousand of the

A. D. 1791.

CHAP. XIV. bodies of their fallen enemies were committed to the grave by the victors. Among the slain was the brave killadar; who having in vain endeavoured to collect a party to make one more stand, fell sword in hand, without a single supporter near him. It was thought that Tippoo might desire to retrieve from the hands of strangers and enemies the remains of one who had served him so faithfully, and an intimation that they would not be withheld was conveyed to him; but either the merits of Bahadar Khan were obliterated by his ill-fortune, or Tippoo really entertained the feeling which his answer is said to have expressed—that the killadar could be buried nowhere with greater propriety than in the neighbourhood of the place in defence of which he had fallen. By the English authorities all the respect that could be shewn to the dead was manifested; and the body of the veteran soldier was attended to its final resting-place by the most distinguished members of the Mussulman part of the British army.

The English were now fixed in the heart of Tippoo Sultan's dominions; but before pursuing further the campaign under Lord Cornwallis, it will be convenient to notice the operations of other armies up to the period when the governor-general obtained possession of Bangalore.

When General Medows marched in the direction of Madras, Colonel Hartley was left with a force, consisting of one regiment of Europeans and two battalions of sepoys, with some field artillery, to act

against a body of the Sultan's troops, amounting, at the lowest estimate, to six thousand, left under the command of an officer named Hussein Ali. This officer, disdaining the cautious policy of his master, took up a strong position near Calicut, and resolved, if challenged, to abide the result of a regular action. He was not disappointed, except in the result of the engagement: he was attacked and utterly defeated, with the loss of a thousand killed and wounded; the general himself and nine hundred men were made prisoners on the field, and the flying remnant of the army being hotly pursued, fifteen hundred more laid down their arms.

A few days before this action, General Abercromby, the governor of Bombay, arrived with a respectable force at Tellicherry, advanced to Cananore, which surrendered unconditionally, and in a very short time occupied the whole of the province of Malabar, where the name and authority of the Sultan were odious beyond the power of description.

The army of Nizam Ali began to assemble in the neighbourhood of Hyderabad about the time that General Medows took the field. It was joined by a detachment of English sepoys and a company of European artillery, and, after considerable delay, marched to lay siege to Copool. This was a protracted and tedious operation. The situation of Copool is upon a lofty and precipitous rock. The cannon employed against it were disabled by a week's firing, and the efforts of the besiegers were suspended for a long interval, until a new battering

CHAP. XIV. train could be collected from various points. They were resumed, but with little prospect of a speedy termination, till the alarm caused by the unexpected news of the fall of Bangalore led to a surrender, after a resistance of several months. Bahandur Bundur, a fort about three miles to the northward of Copool, in a like manner yielded to the good fortune of the allies.

With the Mahrattas, as with Nizam Ali, an English detachment was destined to act. It consisted of two battalions of sepoys and three companies of artillery, two native and one European. It was dispatched from Bombay, and proceeded in boats up the river Jaigur as far as navigable. The period of debarkation was the very height of the monsoon. The ascent of the Ghauts was performed under the most discouraging difficulties; but by perseverance they were surmounted. At Coompta the detachment joined the Mahratta army, consisting of twenty thousand horse and ten thousand foot, under the command of Purseram Bhow. The first blow was to be struck against Darwar; and the whole Mahratta army, with the English detachment, moved to the attack of this place, which they reached by very slow marches. The Mahratta forces were of little use in the conduct of a siege, and the means of reduction were found inadequate. Application for reinforcements was made to Bombay, and a regiment of European infantry, a battalion of sepoys, and a considerable number of European artillerymen, were dispatched, under the command of

Colonel Frederick. An assault prematurely made ended in repulse; and shortly afterwards Colonel Frederick died from the effects, as it was believed, of disappointment. The siege continued to be languidly prosecuted, till the fall of Bangalore became known; an event which produced at Darwar the same effect as at Copool—an offer to surrender.

The garrison were permitted to march out with their arms and ammunition, and with colours flying; but four days after their departure their camp was attacked and plundered by the Mahrattas, many of the party killed, and the commander, covered with wounds, sent as a prisoner to a Mahratta fort. Such an exploit would be perfectly in accordance with the Mahratta character if undertaken solely with a view to plunder; but it was alleged, and it is believed not without ground, that the commander had provoked the attack by a virtual breach of the conditions of the capitulation. One of these conditions was, that the guns and stores were to become prize to the captors. The guns and stores were accordingly left by the retiring garrison; but it was said that the powder had been wilfully rendered useless by damping, and the other stores destroyed to the extent which the time and means of the commander allowed.*

The surrender of Darwar was followed by that of the strong fort of Khooshgul, eleven miles distant,

* Colonel Wilks says that this was admitted by a Mysorean officer with whom he had conversed, who affirmed that he had been personally engaged in the destruction of the stores.

CHAP. XIV. and by the early possession of every place north of the Toombuddra.

Lord Cornwallis marched from Bangalore on the
A. D. 1791. 22nd March, and a few days afterwards unexpectedly encountered the army of the Sultan. Tippoo's only anxiety was to escape from a situation in which he might be compelled to fight, and with some difficulty he effected his object. The army of Lord Cornwallis was now strengthened, or at least numerically increased, by the junction of about ten thousand of Nizam Ali's horse.* To effect this junction was

* Colonel Wilks gives a curious account of these mounted warriors; he says, "They were rated at fifteen thousand, and really amounted to ten thousand men, well mounted on horses in excellent condition, and to those who had never before had an opportunity of observing an Indian army, their first appearance was novel and interesting. It is probable that no national or private collection of ancient arms in Europe contains any weapon or article of personal equipment which might not be traced in this motley crowd; the Parthian bow and arrow, the iron club of Scythia, sabres of every age and nation, lances of every length and description, and matchlocks of every form; metallic helmets of every pattern, simple defences of the head, a steel bar descending diagonally as a protection to the face, defences of bars, scales or chain-work descending behind or on the shoulders, cuirasses, suits of armour or detached pieces for the arm, complete coats of mail in chain-work, shields, bucklers, and quilted jackets, sabre-proof. The ostentatious display of these antique novelties was equally curious in its way. The free and equal use of two sword-arms, the precise and perfect command of a balanced spear eighteen feet long, of the club which was to shiver an iron helmet, of the arrow discharged in flight; but, above all, the total absence of every symptom of order, or obedience, or command, excepting groups collecting round their respective flags; every individual an independent warrior, self-impelled, affecting to be the champion whose single arm was to achieve victory; scampering among each other in

one object of the governor-general's march; another was to meet a valuable convoy, with a reinforcement

wild confusion; the whole exhibition presenting to the mind an imagery scarcely more allied to previous impressions of reality there than the fictions of an Eastern tale or the picturesque disorder of a dramatic scene."—Sketches, vol. iii. pp. 135, 136. A similar but less minute description of these troopers is given in Mackenzie's Sketches of the War with Tippoo Sultan, vol. ii. p. 57. Of the value of the accession of strength which their junction afforded, Colonel Wilks gives the following account:—"The impossibility of relying on such a body for the execution of any combined movement was sufficiently obvious; but the most moderate expectations looked to an enlargement of the limits of observation, the relief of the regular cavalry from the duties of the light troop, and an extended command over the resources of the country to be traversed. Two thousand of the most select were attached to the reserve under Colonel Floyd, and placed under the immediate management of Brigade Major Dales, in the hope that his skill, and conciliation, and example, might render them efficient. Fifteen days were sufficient to shew the total disappointment of the most meagre hopes. The enemy practised upon them on every successive day some enterprise or stratagem, always successful. They soon shewed themselves unequal to the protection of their own foragers on ordinary occasions, and after the lapse of a few days they never stirred beyond the English picquets, consuming forage and grain, and augmenting distress of every kind, without the slightest return of even apparent utility. Their prowess was indeed exhibited at an early period in plundering the villages to which Lord Cornwallis had granted protection; but when it was understood that his lordship disclaimed such proceedings, but could not control them, the villagers undertook their own defence, and the march would produce exhibitions of attack and defence, in which the wishes of the army were uniformly adverse to their allies, and an English safeguard would frequently appear protecting their enemies against their friends. The contemptible state of this cavalry may in some degree have arisen from the effeminacy and decline which marked the general character of the government to which they belonged; but its more immediate causes were referred to

CHAP. XIV. of between four and five thousand men, under Lieutenant Colonel Oldham. These were met at Venitataghery, and both objects of the movement having been attained, Lord Cornwallis returned to Banga-
A.D. 1791. lore, where he arrived on the 28th of April.

Notwithstanding the success which had thus far attended the British arms, the governor-general was not in a condition to prosecute the war with vigour. He was especially distressed by a deficiency of the means of transport for provisions, camp equipage, ordnance, and stores; and this deficiency might have appeared to justify some cessation of active exertion. The love of enterprise scarcely entered into his character; yet, while placed in circumstances which seemed to excuse inactivity, he resolved on a step which, with reference to his position, may be regarded as a bold one: it was to march at once upon Tippoo's capital, Seringapatam. One obvious motive for this decision was a desire to bring the war to a speedy termination; but there was another, not without weight—the apprehension of a rupture with France, from which country Tippoo might then expect to derive assistance, which would render the

a commander (Tedjewunt Singh, a Hindoo) of no respectability or military pretension, who was said to have risen to command by court intrigue, and was deemed better qualified to render his master a good commercial account of the profits of the subsidy than a splendid report of military glory. His second in command, Assud Ali, and the ostensible military leader, had some reputation for that precarious valour which depends on interested motives, or animal excitement or depression, but, like his principal, was incapable of command, venal, rapacious, and unfaithful to his trust." —Ibid. page 136 to 138.

difficulties of the contest far greater than those with which the governor-general had now to contend.

To make the best use of the limited means of transport possessed by the British army, all superfluous equipage was to be left in Bangalore. The officers were requested to reduce their claims for accommodation to the lowest practicable degree, as well as to assist the public service by any means which they could command; and they cheerfully sacrificed their own convenience to the demands of the state. On the 4th of May the army was put in motion. It advanced by a circuitous route, interrupted by jungles, rivers, and ravines. From these causes the inadequate supply of cattle for transport became still further reduced. Numbers died from exhaustion, and large quantities of stores were destroyed because they could not be carried forward. With the usual policy of Hyder Ali and his son, the country traversed by the invaders had been divested of all power of affording relief to their necessities. Conflagration had done its work—the grain not burnt had been buried; and not an inhabitant remained through the expanded waste to recount the story of its devastation, or guide the steps of those who now traversed its blighted fields. Their march seemed to be over a country where some great convulsion of nature had at once swept away every human being, and every thing by which human life could be supported. At length, at a stone fort, called Malavelly, some grain was found; but the quantity lost on the march was so great that even this opportune

A. D. 1791.

CHAP. XIV. and happy discovery did not preclude the necessity of reducing the daily issue of rice to one-half of the usual allowance. Thus, struggling with difficulties and amid the terrors of famine, the British army reached Arikera, about nine miles east of Seringa-
A.D. 1791. patam, on the 13th of May.

Its approach was regarded by Tippoo with no common apprehension. From the moment of the fall of Bangalore, the attack upon which place he had regarded as mad and hopeless, he became alarmed for the safety of his capital. Under the first impulse of fear, he had ordered the removal to Chittledroog of his treasure, his harem, and the families of his officers, whom he retained in pledge for the fidelity of those to whom they belonged; but by the advice of his mother, who exercised a powerful influence over him, and who represented that such a proceeding, being imputed to despondency, would have a bad effect on the minds of his troops and subjects, he abandoned his intention. The parent to whom he was indebted for this service rendered him another. Tippoo had given personal offence to the family of the Nizam. In the hope of detaching that prince from the confederacy, the mother of the Sultan wrote to him, imploring his forgiveness of an act which she attributed to the intoxication of youthful pride, and which she declared the Sultan deeply regretted.

But though Tippoo allowed himself to be dissuaded from one manifestation of fear, he gave way to others, which distinctly shewed the state of his

mind. His hatred of the English had been gratified by causing the walls of the houses in the principal streets of Seringapatam to be decorated with caricatures of the people whom he abhorred, of enormous size, and, in some instances, of disgusting character. These were now by royal command obliterated, and the walls of Seringapatam no longer spoke the Sultan's contempt and aversion for his European enemies.

The capital of Mysore contained other proofs of Tippoo's feelings towards the English, and these too were to disappear. The enfranchisement of prisoners under the treaty of 1784 had even at this time not been perfectly carried out, and among the victims of the Sultan's perfidy were twenty English youths, who, having received the same kind of education which is given to the dancing girls of the East, were destined to delight the ear and eye of their enslaver by the graces of song and gesture. To relieve himself from the inconvenience to be apprehended from these witnesses to his treachery, assassination offered the easiest and most effectual means; consequently, according to the moral code of Tippoo, the best. The youths were murdered, and the course of crime was followed up by the secret murder of other prisoners, who like them had been unlawfully detained.

Such were the results of the alarm produced by the fall of Bangalore, and the anticipation of an attack upon Seringapatam. An English army was now within a few miles of the capital, and the

CHAP. XIV. anxiety of Tippoo increased with the apparently increasing danger. He had hitherto cautiously avoided a general action, and he defended this course by reference to the example of his father, who had gained little or no advantage from general actions, but whose chief success arose from striking at detachments. Stimulated partly by his fears and partly by the representations of his officers, which were aided, it is said, by the remonstrances of the women of his harem, who expatiated on the discredit of suffering his capital to be menaced without an effort to repel those by whom it was threatened, he now resolved to depart from the policy which he had hitherto steadily pursued.

On the arrival of the English army at Arikera, a considerable body of the enemy was visible at the distance of about six miles in front. This force was drawn up with its right to the river Cavery, and its left to a rugged hill a short distance from the bank. It was at first supposed to be only a large detachment sent to observe the motions of the British army, and Lord Cornwallis proceeded to take measures for ascertaining the best point for crossing the river, with a view to a junction with General Abercromby, who, with the Bombay army, was posted at Peripatam, about forty miles westward of Seringapatam, and whose co-operation was deemed necessary to the reduction of the latter place. The English general, however, soon learned that though only a small part of the enemy's army could be seen, the whole was encamped between his position and Se-

ringapatam; its right protected by the Cavery, its left by a chain of hills, with a deep swampy ravine, the passage of which was defended by batteries running along the whole of the front. The distance between the river and the hills nowhere exceeded a mile and a half, and within cannon-shot of Tippoo's line was not more than a mile. The difficulties in attacking an enemy in such a position were obviously great; but the result of such information as could be obtained of the country seemed to shew that it would be practicable to cross a ridge on the right of the English army from the high road to Seringapatam, where they were encamped, to another road leading to the same place; and Lord Cornwallis thereupon resolved to attempt by a night march to turn the enemy's left flank, and by gaining his rear before daylight, cut off the retreat of his main body to the capital. To effect this object, six European regiments, twelve battalions of native infantry, with three field-pieces, one European and three native regiments of cavalry, were ordered to be in readiness to march at eleven o'clock on the night of the 13th May, leaving their picquets and camp guards behind, and their tents standing. Nizam Ali's cavalry were to follow in the morning; but the order was not to be communicated till the moment of moving, lest the plan should be frustrated by treachery. A.D. 1791.

The ground occupied by the British army was intersected by ruined villages, inclosures, and deep ravines, and from this cause much time was lost in forming the troops in the prescribed order of march.

CHAP. XIV. Before they moved a terrific storm arose, and the march was performed under a deluge of rain, accompanied by thunder and lightning of the most awful character. Exhausted by fatigue, scared by the lightning, and benumbed by the chilling effects of the rain, the cattle could scarcely be made to move; and the night, except when temporarily irradiated by the vivid flashes, being impenetrably dark, several regiments lost their way, and portions of the British force were moving in almost every variety of direction: repeated halts thus became necessary. On one of them, Lord Cornwallis found himself with no more than one company and one gun. A staff-officer, who made the discovery that the general had thus outmarched the greater part of his force, or had become, in some other way, separated from them, attempted to find the column by tracing, with the aid of the lightning, the marks of the gun-carriage wheels; but the tracks, though so recently made, had been completely obliterated by the unceasing torrents of rain, and he narrowly escaped riding into the enemy's encampments.

The dawn of day removed one of the difficulties which had retarded the progress of the British force; but it destroyed the hope of executing the original plan, which required the cover of night: still, as the most arduous part of the march had been accomplished, Lord Cornwallis determined to persevere, and to endeavour to force Tippoo to action on ground believed to be less advantageous to him than that which he had chosen. The Sultan did not

decline the challenge. The approach of the English was unobserved till they had begun to descend the heights on the eastward of the ravine. Their first object was to gain possession of a hill commanding the left of the enemy. This was perceived by Tippoo, and he made arrangements for defeating it, which have deservedly received the approbation of eminent military authorities.* He dispatched a considerable body of cavalry and infantry, with eight guns, to seize the hill towards which the views of the English were directed, and sent out some cavalry to hover on the right of the English, and take advantage of any opportunity to charge—thus impeding their progress, and giving to his troops advancing to the hill time to take possession of it. Tippoo also very promptly changed his front to the left, covering one flank by a steep hill previously in his rear, and the other by a ravine which had run along his former front.

From the nature of the ground, the weak state of the cattle, and the annoyances of the enemy's horse, the passage of the British infantry to the same side of the ravine with the enemy was slow. It was at length accomplished, and the requisite disposition for action made. Opposite to the enemy's main body, nine battalions were posted in a first line under General Medows and Colonel Stuart, and four in a second line under Colonel Harris, while five battalions, under Colonel Maxwell, were destined for an attack upon the enemy's corps on the

* Colonel Wilks and Sir Thomas Munro.

CHAP. XIV. hill. This attack might have been made at an earlier period, but it was judiciously postponed till the other parts of the disposition were complete, in order to deter Tippoo from making any attempt on the flank or rear of the troops moving forward to drive his detachment from the hill.

With the attack on that detachment the action commenced. On the approach of Colonel Maxwell the enemy's eight guns were drawn off. The infantry kept their ground, and maintained a heavy, though ill-directed, fire of musketry. Colonel Maxwell had no guns, but he had made provision for covering both his flanks against cavalry. Thus unencumbered and unapprehensive of interruption, he advanced with a rapidity and impetuosity which speedily broke the line of the enemy's infantry, and even overtook some of the guns on the opposite descent of the hill. The infantry made a struggle to defend them, but in vain; the possession of the guns followed the possession of the hill. The rapid success of Colonel Maxwell on the hill was the signal for the advance of the two lines below against the main body of the enemy. The battle now became general along the entire front. The enemy's cavalry, who had greatly annoyed the British army while advancing to take up their ground, made no stand after they were formed in line of battle; the fire of Tippoo's artillery even began to relax. His infantry behaved in a manner far surpassing any expectation that had been formed of them; but the near approach of the first line of the British army caused them to waver.

Colonel Maxwell had been ordered, after carrying the hill, to leave there only a sufficient force to retain possession, and with the remainder of his corps to advance and possess himself of the hills which covered the left flank of the main army of the enemy. He was rapidly performing this duty, when Colonel Floyd, with the British cavalry, who had been kept out of the range of the enemy's shot, ready to take advantage of any opportunity that might occur for their services, charged the rear-guard of the enemy's retreating infantry, and nearly destroyed them. Their progress was checked by a larger body of infantry, which rallied and made a stand on a space of broken ground extremely disadvantageous for cavalry. Colonel Floyd accordingly prepared to withdraw his men from a position where they could not act effectively; but at this moment the cavalry of Nizam Ali, which had followed the English cavalry, threw themselves in an unwieldy mass in front of the left wing of the British army, the advance of which they impeded, while from the nature of the ground they could prove of no service had they been disposed to perform any. For some time they could neither be brought to advance nor recede; "and thus," said the governor-general, "an invaluable though short space of time was lost, which enabled the enemy to avail themselves of the vicinity of the batteries upon the island, and by retreating to their protection in the utmost confusion, to save their army from entire destruction."

CHAP. XIV. Lord Cornwallis, while complaining of this extraordinary conduct, charitably gives the actors the praise of "good intentions." Colonel Wilks takes a less favourable view. "It is asserted," he says, "by many officers in the Mysorean army, that this impediment was designed; that a horseman, with a particular badge from Assud Ali, was seen at this moment to deliver a message to Tippoo, who was in the rear anxiously urging the escape of his guns, of which many had been actually abandoned, but were recovered during this delay, and one only fell into the hands of the English in this branch of the attack; and that another messenger attended Tippoo on the same night. The author has since perused the active and treacherous correspondence with the enemy in this campaign, not only of Assud Ali, a person notoriously worthless, but of other officers of fairer fame in the same service, whose names it might be injurious to the English interests in India to disclose at the present period."*

Adverting to the good conduct of Tippoo's infantry on this occasion, Sir Thomas Munro says:—"They stood the fire of musketry till our troops were within a few yards of them; they defended every point; they rallied wherever the ground was favourable; and when at last driven from the field, they retreated without confusion. All this change of behaviour," he adds,

* Written in the year 1817. See Sketches, vol. iii. page 152. Colonel Wilks had been political resident at Mysore, and enjoyed unusual opportunities of investigating the secret history of that country.

"was, however, less owing perhaps to the improvement of their discipline than to other causes—the strength of the ground, which, being full of rocks and ravines, afforded them everywhere shelter, and made it difficult to follow them; and their proximity to the island, the batteries of which covered them from pursuit."* Lord Cornwallis attributes the good behaviour of Tippoo's infantry to his presence and exertions among them: whatever the cause, it is evident that the difficulty of putting them to flight was greater than had been anticipated. But the task had been performed — victory sat upon the banners of the British army; yet the fruits of victory were to be abandoned—the object for which so much fatigue, so much loss, and so many perils had been incurred, was to be renounced; the prize, for which so many public and private sacrifices had been made, was within sight, but it was not to be grasped.

In great distress for provisions, and with intolerable labour to the troops from the want of cattle, the British army by two marches reached Caniambaddy, the ford at that place being regarded as an eligible spot for crossing the river; and there, on the 20th of May, exactly a week after his arrival at Arikera, Lord Cornwallis determined to relinquish, for a time at least, all attempts against Seringapatam, and to retrace his steps to Bangalore. On the 21st, orders were dispatched to General Abercromby to return to Malabar; on the 22nd the whole of the bat-

A. D. 1791.

* Gleig's Life of Sir Thomas Munro, vol. i. page 118.

CHAP. XIV

tering train and heavy equipments of the army were destroyed; and on the 26th the governor-general commenced his retrograde march.

Neither party in the war had at this time much cause for exultation. Tippoo had discarded his usual caution—had ventured on a general action and had been defeated, the bitterness of defeat being aggravated by its having occurred within sight of his capital. The English commander had provoked a battle in which he had been victorious; but with reference to the object for which the enterprise had been undertaken and the battle fought, he was beaten. "As a mere evidence of superiority," says Colonel Wilks, "the victory was complete, and had there been no movement of the cavalry, would probably have been very decisive. But the observation of Sir Eyre Coote, on a parallel occasion, was applied by an old officer to the present: 'I would gladly exchange all these trophies and the reputation of victory for a few days' rice!"* "We gained nothing by the victory," says Sir Thomas Munro, 'but the liberty of looking at the island,"†—a privilege scarcely worth the price that had been paid for it.

The British army commenced its retreat, and before the conclusion of the first day's march, a large body of horse made their appearance on the left of the principal column, near its rear. This was not a point from which an attack had been apprehended;

* Sketches, vol. iii. page 152.

† Life, vol. i. page 119.

but from knowing the rapidity with which the cavalry of Tippoo moved in all directions, no doubt was entertained that the approaching horsemen belonged to his army, and that they would immediately fall on the stores and baggage. Colonel Stuart, who commanded in the rear, instantly prepared to resist the attack; and the British had begun to fire, when one of the horsemen rode towards a staff-officer who was giving some orders, and shouting that he was a Mahratta, entreated that the firing might cease. Similar communications were made at the head of the column, and the British commander found himself suddenly reinforced by two Mahratta armies, one under Hurry Punt, commander-in-chief, the other under Purseram Bhow, who, after the fall of Darwar, had marched towards Seringapatam to join the English army. A British detachment accompanied the army of Purseram Bhow. The Mahrattas were believed to have been not less than a hundred and fifty miles distant from the army which they so suddenly joined. Above a hundred messengers had been sent forward to announce its approach, but every one of them had been intercepted by the light troops of Tippoo.

Had the junction of the Mahrattas taken place somewhat earlier, some heavy sacrifices made by the British army might have been averted. As it was, their accession was most welcome. They brought a supply of bullocks, large stores of all necessary articles of consumption, and of some which

CHAP. XIV. were not strictly to be regarded as necessary.* The march of the confederates was slow, in order to afford opportunity for the arrival of large convoys of provisions and plunder coming up in the Mahratta
A. D. 1791. rear. On the 18th of June the army was within three miles of Hooliordroog, a fort established on a

* Lieutenant Moor (author of a Narrative of the Operations of Captain Little's Detachment) and Colonel Wilks draw lively pictures of the bazaars of the Mahratta camp. The former commences by saying, "all vocations are seen proceeding with as much earnestness on the part of their professors, as in a well-regulated city in time of peace, which it more resembles than a market moving with a mob, bearing the name of an army, in the centre of an enemy's country." Colonel Wilks's description, which corresponds substantially with that of Lieutenant Moor, is subjoined. "The bazaar of a Mahratta camp presents an exhibition of no ordinary character, and to their famished visitors, exhibited a picture of the spoils of the east and the industry of the west. From a web of English broadcloth to a Birmingham pen-knife; from the shawls of Cashmere to the second-hand garment of a Hindoo; from diamonds of the first water to the silver ear-ring of a poor plundered village maiden; from oxen, sheep, and poultry, to the dried salt fish of Concan; almost every thing was seen that could be presented by the best bazaars of the richest towns: but, above all, 'the tables of the money-changers,' overspread with the coins of every country of the East, in the open air and public street of the camp, gave evidence of an extent of mercantile activity utterly inconceivable in any camp excepting that of systematic plunderers by wholesale and retail. Every variety of trade appeared to be exercised with a large competition and considerable diligence, and among them one apparently the least adapted to a wandering life—the trade of a tanner—was practised with eminent success. A circular hole dug in the earth, a raw hide adapted to it at the bottom and sides, and secured above with a series of skewers run through its edges into the earth, formed the tan-pit: on marching days the tan-pit with its contents, in the shape of a bag, formed one side of a load for a horse or bullock, and the liquid preparation was either

small rock, of great strength. At the foot of the rock was a town, which being occupied without difficulty, the killadar surrendered the fort on a promise of security to private property, and of special protection against the Mahrattas. The inhabitants, who had taken refuge in the fort, proceeded in the direction of Madoor, under the care of an English escort, the commander of which had orders to accompany the travellers the entire distance to Madoor if required. All, however, appeared quiet, and not a single Mahratta was visible on the route. Fear was thus dispelled, and when about half the march was accomplished, the leader of the retiring party intimated to the English officer that, as there was no reason to apprehend danger, it would be unnecessary to subject the escort to further trouble. It accordingly returned, but was no sooner at a sufficient distance to permit the manifestation of Mahratta enterprise, than the freebooting allies of the British, in conformity with established custom, fell upon the unfortunate fugitives, and plundered them of every thing they possessed.

Hooliordroog contained many state prisoners, and there the captors found new evidence of the

emptied or preserved, according to the length or expected repetition of the march. The best tanning material (catechu, a vegetable preparation long known in Europe by the strange name of terra japonica) is equally accessible and portable; and the English officers obtained from these ambulatory tan-pits what their own Indian capitals could not then produce, except as European imports—excellent sword belts."—Sketches, vol. iii. pp. 158, 159.

CHAP. XIV. Sultan's cruelty. "Among a number of captives," says an historian of the period, "that were bound in chains of various construction at Hooliordroog, several, who had their ancles fastened asunder by a heavy iron bar of about eighteen inches in length, had from habit acquired a straddling amble, which, when liberated, they could not for a length of time alter or amend; some, from having been closely pinioned, could move neither arm; others had acquired a stoop, from which they were unable to stand erect: in short, as most of them had been confined in this wretched state for a period of about ten years, there were few indeed who had not lost the power of some limb or other."*

Hooliordroog was dismantled, and the army proceeded on its course. Oostradroog was summoned to surrender, but the killadar sent a refusal, and it was not thought prudent to enforce the demand by arms. Savandroog was reconnoitred, but appeared so formidable, that even the ceremony of a summons was in this instance waived. The army
A. D. 1791. reached Bangalore on the 11th June. Before the arrival at that place a plan of future proceedings had been arranged. The continued co-operation of the Mahrattas it was necessary to purchase by a loan of nearly a hundred and fifty thousand pounds, the means of making the advance being secured by stopping the commercial investment of dollars in transit from England to China. To the English

* Mackenzie's Sketches of the War with Tippoo Sultan, vol. ii. page 115.

the campaign had been a cause of heavy loss. The Mahrattas, on the contrary, had, by the assiduous use of their usual practices, been greatly enriched, both individually and nationally. Yet the latter thought it fit that the English should pay for their continued services against a common enemy, and the governor-general did not feel himself in a situation to refuse. This important preliminary being arranged, Purseram Bhow, with his army and a detachment of Bombay troops, proceeded by Sera to commence a series of operations in the north-west. The greater part of the Nizam's cavalry, under Assud Ali, were to operate to the north-east. The army of Lord Cornwallis was to be interposed between the enemy and the Company's territories, as well for the protection of the latter, as for the convenience of bringing forward supplies, for reducing such of the intermediate fortresses as might be necessary, and for establishing a chain of tenable posts from Madras to Seringapatam, by which the transit of supplies might be facilitated when the army should be called to assemble before the enemy's capital.

The first movement of Lord Cornwallis was in a south-eastern direction to Oossore. On his approach the garrison evacuated and blew up the fort. A train had been laid for the magazine, intended to explode after the entry of the English troops; but by a happy accident it did not take effect. Here again the perfidy and cruelty of Tippoo were brought conspicuously to notice. Three Englishmen had been confined in Oossore; one of whom, named

CHAP. XIV. Hamilton, having given up all hopes of recovering his freedom, had reconciled his mind to the circumstances in which he was placed, and apparently contemplated Oossore as his final abode. As in other instances, the fall of Bangalore had led to the murder of these unhappy men, whose graves were now pointed out to their indignant countrymen.

From Oossore the English army moved in the direction of the Policode and Ryaccotah passes, and took possession of various forts, some of them without resistance. Ryaccotah was not so easily obtained: it was defended by successive ranges of works, and garrisoned by eight hundred men; and so confident was the killadar in the strength of his works and his garrison, that he not only rejected the summons to surrender, but fired on the flag that brought it. The task of reducing this place fell to a brigade under Major Gowdie, who sent a detachment of about three hundred and fifty men, with guns, to attack the pettah. The gate was soon blown open; but the garrison, aided by the inhabitants, kept up a brisk fire on the assailants from the upper and central works. Major Gowdie led the succeeding attacks in person, and carried several successive gates, but did not venture to attempt the summit. On the appearance of the main body of the army, however, the place surrendered.

The capture of other forts of inferior importance demands no especial notice; but the attack on Nundedroog is entitled to some attention. This fort was situated on a granite rock of tremendous height,

and no labour had been spared to add to its strength. Major Gowdie, who had reduced many of the minor forts, found his means inadequate to an attack upon Nundedroog. Reinforcements were obtained, and the guns having with incredible labour been carried part of the way up the hill, batteries were constructed, and began to fire with visible effect. The fire was vigorously returned from the fort; but at the end of twenty-one days two breaches were effected by the besiegers—one in the exterior rampart, the other in an outwork. Lord Cornwallis now advanced his army within a few miles of the place, and orders were given for a night assault. It took place soon after midnight of the 19th of October, and was made simultaneously by two parties upon the two breaches. The enemy were prepared to receive the assailants with a heavy fire of musketry and rockets; but more injury was inflicted by stones of immense size and weight rolled down upon those who were ascending. The resistance, however, was not long protracted; and Nundedroog was added to the acquisitions of the British army under Lord Cornwallis. Before the attack was made, a portion of the garrison were clamorous for surrender; and on its taking place, some descended the wall by ladders of ropes, and escaped through the jungles; others, abandoning their posts, fled for shelter to the principal pagoda, where they were subsequently made prisoners. The commanding officer was in despair. His name was Luft Ali Beg; he was a man of high rank, and had stood well in the esteem of

CHAP. XIV.

Hyder Ali. At the battle of Arnée he had been ordered to make a charge with a large and select body of cavalry on the rear of the English, with a view to facilitate the retreat of Hyder Ali's artillery. He attempted to execute his orders, but was checked by the active and well-directed fire of the horse artillery of the English, which his troops refused to face. The wrath of the capricious barbarian whom Luft Ali Beg served was extreme; and his unfortunate servant was committed to the custody of another Mahometan officer, with instructions to inflict upon him severe corporal punishment, the marks of which were to be exhibited to two brahmin witnesses, in proof that the Sultan's orders were carried into effect. The ingenuity of Luft Ali Beg and his gaoler contrived to evade the actual execution of the sentence by the use of a caustic, which produced the appearance necessary to satisfy the witnesses, without subjecting the sufferer to any serious inconvenience; and as under an Eastern despotism such incidents are soon forgotten, Luft Ali Beg, after a time, became again an important personage in the court and camp of the Mysorean sovereign. By Tippoo he was associated with three other of his servants in an embassy to Constantinople, which was to have proceeded from thence to Paris; but the ambassadors never got beyond the former city, where their reception was cold and unsatisfactory; and after an absence of nearly five years they returned, without any result but the expenditure of about twenty lacs of rupees,

the loss by contagious disease of several hundreds of their followers, and the contribution to the state papers of Mysore of a journal of vast extent. To his former failings, Luft Ali Beg had now added that of having suffered one of the strongest and most important places in his master's dominions to fall into the hands of the English.

The reduction of Nundedroog was followed by the dispatch of a detachment under Colonel Maxwell into Baramâhal, to counteract the depredations in progress there by a force under Bakir Saib, son of the gallant killadar of Darwar, slain in the capture of that place. The business assigned to this force was to devastate the whole country, so as to incapacitate it from contributing to the supplies of the English army, and its chief post was at a mud fort named Penagra. The fort was speedily taken, and Bakir Saib withdrew from the country which he had been sent to ravage. Colonel Maxwell then proceeded towards Kistnaghery, with the intention of destroying the pettah, so as to leave the enemy's predatory parties no cover there. Possession of the pettah was soon gained; and an opportunity seeming to offer for a successful attack upon the upper fort, the attempt was made and failed. The British detachment sustained considerable loss, but retired in good order, after setting fire to the pettah.

In Coimbatore, the defence of the fort bearing the same name with the province, and of Palagaut, with their reciprocal communications, had been entrusted to Major Cuppage. That officer deeming

CHAP. XIV. Coimbatore incapable of sustaining a siege, removed the heavy guns, ammunition, and stores to Palagaut. Lieutenant Chalmers, who was left at Coimbatore, on examining the guns which had been cast aside as unserviceable, found three which stood proof. By collecting and joining wheels and fragments of carriages which lay scattered about the fort, he found the means of mounting them. With these and a few swivels, a quantity of damaged powder, and five hundred shot, obtained from Major Cuppage, he hoped to make a stand for a few days, in the event of the fort being attacked.

The apprehension of attack was soon converted into certainty. The place was invested by a force of two thousand infantry, a considerable body of cavalry, eight guns, and a number of irregular troops. The garrison consisted of a hundred and twenty topasses,* or natives, partially of Portuguese origin, and about two hundred Travancoreans, half of whom ran away when they found a siege was expected, while those who remained were extremely insubordinate.

The enemy pitched on the north-west of the pettah, and summoned the place to surrender, under pain of death to every person within it, not excepting women and children. The summons was disregarded; it was repeated after the expiration of two days without effect. On the third day a battery was completed, and the fort was once more summoned, but with an offer of favourable terms. The

* Literally, wearers of hats.

offer was rejected, and in the evening the besiegers began to fire from the battery. The shot did considerable damage to the works, which it gave the garrison abundant employment to repair. Another battery was completed on the following day, and a vigorous fire of guns and rockets was maintained. A third battery was soon in a forward state. In the meantime Lieutenant Chalmers had prepared several casks, filled with combustibles, which were placed on the ramparts, to be used against the enemy should they attempt an escalade, which, from their preparation of ladders, seemed to be intended. The enemy prepared a fourth battery, and the besieged opened three mines. As the danger increased, the mines were loaded and the gates blocked up with earth and stones. The store of shot beginning to fail, the hammermen were actively employed in making iron slugs to supply the deficiency of balls. The works of the besiegers continued to be carried on till they were advanced within fifty yards of the ditch: and as it was known that large reinforcements were proceeding to their assistance, a general attack was now hourly expected. At this time the store of ammunition within the fort was nearly exhausted; the wounded, who were numerous, were without medical assistance, and the Travancoreans who remained were clamorous for surrender. Still the gallant commander, who was nobly supported by a young French officer named De la Combe, in the service of the Rajah of Travancore, refused to succumb.

CHAP. XIV. Two months within two days had passed before the enemy ventured on a general assault. They advanced with great steadiness, planted their ladders, and mounted the parapet at five distinct places. The first struggle took place at a point defended by De la Combe, whose personal gallantry communicated its influence to those whom he commanded, and prepared for the assailants a fierce resistance. The enemy had avoided the mines, and resort to the combustible barrels was delayed till not only was the ditch filled by the assailants, but numbers of them were actually on the ramparts, fighting hand to hand with the besieged. De la Combe would have been overpowered had not a timely reinforcement been sent to his relief; and Lieutenant Chalmers, who was personally engaged in defending the weakest point of the works, was in danger of a similar fate. At a moment when successful resistance seemed scarcely longer practicable, one of the barrels being thrown amongst a crowded mass of the enemy exploded, and the fortune of the day was turned. The besiegers gave way, and as party after party retired from the ramparts, their discomfiture was increased by hurling down on them vast pieces of rock. The conflict lasted two hours, and the number of the enemy's dead left on the ramparts and within the ditch exceeded the entire strength of the garrison by whom they had been so bravely repulsed.

It was not fitting that such men should be abandoned; and though a due regard to the safety of

Palagaut prevented Major Cuppage from doing much for their relief, he afforded some assistance, and with the aid of some revenue troops under the direction of Mr. Macleod, a gallant and enterprising civil servant, the enemy were driven from the pettah which they had continued to occupy, and chased to the Bewany, a distance of about twenty miles, with the loss of a large quantity of their stores. To add to the permanent strength of the garrison, a company of sepoys, commanded by Lieutenant Nash, was ordered in, and by some further additions it was increased to about seven hundred men.

Scarcely had Lieutenant Chalmers time to repair the breaches in the works and make other dispositions for defence, before the enemy reappeared. The force now arrayed against Coimbatore consisted of eight thousand regular infantry, with fourteen guns, four mortars, and a large body of irregulars and horse. It was commanded by Kummer-oo-Deen. The enemy took possession of the pettah without opposition, erected batteries, and opened approaches, under the cover of a heavy fire, which the besieged were able to return very inadequately. But the spirits of the garrison were cheered by intelligence that Major Cuppage was advancing with three battalions of Company's sepoys, two of Travancoreans, and six field-pieces, to compel the enemy to raise the siege. To divert this force from its object, and probably at the same time to strike a serious blow at the efficiency of an important portion of the English force, Kummer-oo-deen, leaving a strong

CHAP. XIV. body in the trenches, marched with the remainder of his force a distance of about ten miles, to the vicinity of a pass where the woods of Arivally terminate and the plain commences. A large convoy of oxen, intended for the western army, was assembled at Palagaut, and Kummer-oo-Deen made a demonstration of getting into Major Cuppage's rear, for the purpose of occupying the pass. This would have enabled him to cut off the passage of the convoy, and by the force of numbers to embarrass Major Cuppage's return to Palagaut. That officer accordingly fell back, and the occupation of the pass was decided by a severe action, in which Major Cuppage was victorious. He immediately returned to Palagaut, while Kummer-oo-Deen proceeded to resume the siege of Coimbatore, relieved from the fear of interruption.

The fate of that place was now sealed. All hope of relief was cut off, the ammunition, from the first, bad, was nearly expended, a wide breach had been made perfectly practicable, and the sap had been carried to the covered way. Lieutenants Chalmers and Nash were both wounded in one day; and the most determined of the gallant defenders of this miserable fort saw the necessity of surrender. Negotiations for this purpose were commenced, and soon brought to a conclusion, the enemy being quite ready to grant the besieged favourable terms. The place was
A. D. 1791. first invested on the 13th of June; one hundred and forty-three days afterwards, on the 3rd of November, the conquerors took possession of it. In reference

to its strength or importance, Coimbatore has little claim to occupy a large space in the history of the war with Tippoo Sultan; but the gallantry with which it was defended has removed the siege from the list of ordinary occurrences.

It was a condition of the capitulation that the garrison should be permitted to march to Palagaut; but, after the actual surrender of the place, it was pretended that this condition could not be acted upon without the Sultan's ratification. The sequel of this tale of perfidy need scarcely be told. After a detention of thirteen days at Coimbatore, the prisoners were marched to Seringapatam, where they were subjected to the cruelties and indignities which were the ordinary lot of those who fell into the hands of the barbarian Tippoo Sultan. Comment upon a fact of such frequent occurrence would be alike tedious and vain.

While these events were in progress, the attention of Lord Cornwallis had been constantly directed to the establishment of such means for the transmission of supplies as might prevent the necessity of abandoning the meditated attack upon Seringapatam from the cause that led to the relinquishment of the former. One of the most serious impediments to success was the possession by the enemy of the strong fortress of Savandroog, situated about eighteen miles west of Bangalore. It consisted of an enormous mass of granite, of greater height than Nundedroog, rising from a base eight miles in circumference, and separated by a

CHAP. XIV. chasm, at the distance of about two-thirds of its total elevation, into two citadels, each independent of the other. It had not long before been reconnoitred, and was deemed unassailable; but the capture of some other hill forts, and more especially of Nundedroog, had tended to diminish the reverence of English officers for the reputed impregnability of Indian fortresses; and it was determined to test the claims of Savandroog in this respect.

The conduct of the siege was entrusted to Colonel Stuart, and the force assigned to him, in addition to a powerful artillery, consisted of two European and three native regiments. The remainder of the army was disposed so as to watch every avenue from Seringapatam by which the operations of the siege could be disturbed. On the 10th of
A.D. 1791. December Colonel Stuart pitched his camp within three miles of the north side of the rock, the point from which the chief engineer, after reconnoitering, proposed to carry on the attack. The first operation was one of vast labour and difficulty—it was to cut a gun road from the encampment to the foot of the mountain, over rocky precipices, and through a thick forest of bamboos, and when made, to drag the guns over it. A noxious and pestilential atmosphere added to the dangers of the besiegers, and Tippoo, on hearing of the attempt, is reported to have congratulated his officers on the infatuation of the English in engaging in an enterprise that could not fail to terminate in defeat and disgrace. According to the Sultan's belief, one

half of the Europeans employed were destined to die of sickness,* the other half to be killed in the attack. Not daunted by this royal prediction, the besiegers, on the 17th December, opened two batteries, one at a thousand yards, the other at seven hundred yards' distance, by which the defences of the wall were much damaged; but the effect was scarcely equal to the expectations which had been formed. The wall was built with stones of immense size, those of the lower tier being riveted to the rock by iron bolts. On the 19th another battery was erected, which it was found necessary to advance to within two hundred and fifty yards of the wall. In the course of that and the succeeding day a practicable breach was effected, and orders were given to storm on the following morning. A. D. 1791.

The bamboo forest, which had been a source of difficulty in the construction of the gun-road, was found of some service in the close approaches of the attack. Under its cover, and that of crevices and rugged parts of the rock, a lodgement was made for the troops within twenty yards of the breach. The storming party, commanded by Lieutenant Colonel Nesbitt, was directed to four different attacks, and parties were detached round the mountain, to draw the attention of the enemy from the main object, and prevent their escape, should any attempt for that purpose be made.

* Major Dirom states that the place "is said to have derived its name of Savandroog, or the rock of death, from its fatal climate."

CHAP. XIV. The hour fixed for the assault was eleven o'clock, and it was to commence on the discharge of two guns from the batteries. At the appointed hour the expected signal was given, and the party advanced to the storm, while the band of one of the English regiments pealed forth the inspiring air of *Britons strike home.* A large body of the enemy had been observed running down from the western hill, for the defence of the breach, which was a little below the eastern hill, but on the appearance of the English they were seized with panic and fled. The eastern hill was completely carried, without meeting or even overtaking the enemy.

The attack on the western hill was thought to be a work of greater difficulty, and Captain Monson, to whom it was entrusted, was instructed either to advance or not, as circumstances might render expedient. The officer in command of the citadel having witnessed the abandonment of the eastern hill and the ascent of the English party, made a sally for the purpose of taking them in flank, when he was unexpectedly met among the rocks by the party of Captain Monson. He retreated with precipitation, followed with great vigour by the English. An attempt was made to shut the first gate against the pursuers, but the man who was performing the duty was killed by a shot fired from some distance by a sergeant of the 71st regiment. The English then rushed in, and entering every succeeding barrier with the enemy, were soon in possession of the top of the mountain. Thus, in less than an hour, and in open day, the stu-

pendous fortress of Savandroog was carried by storm, and the boast of its impregnability for ever silenced. The English had not a man killed, and only one wounded.

The next place attempted was that which was next to Savandroog in strength and importance. Ootradroog had some time before been summoned, and the answer of the killadar was, that he would not surrender his post till the English had taken Seringapatam. It was supposed that the fall of Savandroog might have made him less scrupulous, and a flag of truce was dispatched, offering liberal terms. The staff officer who accompanied it was beckoned from the fort to advance; he complied with the invitation, and when within sixty yards of the gate, a fire of musketry was opened on him and the non-commissioned officer who bore the flag, but from which, happily, both escaped unhurt. On the following day the fort was attacked in a manner for which the governor was not prepared. A number of field-pieces were run down to appointed stations, and under cover of their fire an escalade commenced.

The side of the rock assaulted rose at an angle of about thirty-five degrees, and was defended by seven ramparts rising above each other, including that of the pettah, which was first stormed. The orders given to the artillery officers were, as fast as one wall should be carried, to point the guns, over the heads of the assailants, against the next wall in succession, for the purpose of keeping down the fire of

CHAP. XIV. the garrison. The pettah was carried so rapidly as to astonish the killadar, and induce him to demand a parley. It was granted; but it soon becoming apparent, from the movements of the garrison above, that the only object was to gain time for preparing more efficiently for defence, the assault recommenced, and wall after wall was carried, till the assailants reached the summit. Some of the gateways were forced by the pioneers, but most of the ramparts were carried by escalade. The astonishment and confusion of the enemy were so great, that their fire, though heavy, was for the most part thrown away, and as soon as a single European was seen above any of the walls they fled precipitately. The killadar was made prisoner, and many of the garrison killed. Many more, terrified at the sight of the European bayonets, precipitated themselves from the rock—thus blindly rushing on one mode of death in their anxiety to escape another. The terror of the garrison had commenced before the actual danger. On the appearance of the detachment before the place they had mutinied, and four hundred men had deserted in the night. To the prevalence of fear the English were unquestionably indebted for the ease with which they obtained possession of this fortress. "Although," says Major Dirom, "such was the steepness and narrowness of some parts of the road in the ascent, that a few resolute men might have defended the place against an army, it was only at the last gateway that they attempted any resistance, and that only by firing a few musket-shot, by

which two soldiers were wounded."* The total number of wounded in the English detachment was very small, and, like Savandroog, Ootradroog was carried without the loss of a single life. Some other forts of inferior importance were taken with little trouble.

The army of the Nizam had long been engaged in besieging Goorumconda, but with a very indifferent prospect of bringing their operations to a successful ending. The Nizam's artillery was unable to breach the lower fort, and to supply their deficiency some guns were dispatched by Lord Cornwallis after the fall of Nundedroog. Still nothing was effected till Captain Read, who commanded the English detachment serving with the Nizam's army, rendered weary and indignant by the clumsy proceedings which he had been compelled to witness, offered, if entrusted with the exclusive management of the attack, to put the Nizam's officers in possession of the lower fort, which commanded the only access to the hill, and having effected this service, to leave them to conduct the further operations in their own way. The offer was accepted; and Captain Read having constructed a battery of two twenty-six and two eighteen-pounders, within four hundred yards of the wall, in two days after it commenced firing had effected a practicable breach.

A. D. 1791.

The night of the 7th of November was fixed on for the attack; and the small party of artillerymen, who were the only European troops with the de-

* Major Dirom's Narrative, page 75.

CHAP. XIV. tachment, volunteered to quit their guns and lead the assault. Measures having been taken to divert the attention of the enemy, the assailants advanced, and with little opposition mounted the breach. Having cleared the obstacles by which their progress was impeded, they advanced along the rampart till they met a body of the enemy, who made a stand at the second bastion. The artillerymen charged them, and they instantly gave way. No further resistance was offered, and the greater part of the garrison took refuge in the upper fort. The lower fort was delivered to the charge of Nizam Ali's troops, but they were not destined to retain undisturbed possession of it.. A large reinforcement, soon after the capture, arrived from Hyderabad, under the command of the minister, Moosheer-oo-Moolk, who, on his departure with the main body of his forces and the English detachment to take part in the operations of Lord Cornwallis, left the charge of the lower fort to an officer of some reputation,

A. D. 1791. known by the name of Hafiz Jee. In December, the eldest son of Tippoo Sultan appeared before Goorumconda, with an army amounting to about twelve thousand horse and foot. Their approach was quite unlooked for; and Hafiz, supposing the party to consist but of a few plunderers, mounted an elephant and went out to reconnoitre, accompanied by only a few horsemen. He was speedily surrounded; and descending from his elephant, was about to mount a horse and endeavour to force his way back, when he was made prisoner. The

troops who issued from the fort in small parties were destroyed in detail, and panic seizing the rest, the recent acquisition was precipitately evacuated with considerable loss. Hafiz Jee was an object of peculiar hatred to Tippoo. He had been employed on an embassy from the Nizam to the Sultan, by whom he had been treated with that disrespect which the despot of Mysore was in the habit of exhibiting to the accredited servants of other states. He had afterwards, in his capacity of minister of the Nizam, been associated with the refusal of that prince to connect his family with that of Tippoo by the tie of marriage, and this offence had never been forgiven. Aly Reza, the man through whom the rejected proposal of matrimonial alliance had been made, was now with the army before Goorumconda, and in his hands rested the fate of Hafiz Jee. The prisoner had soon the means of judging of the spirit in which he was regarded by those into whose power his imprudence had thrown him. He was plundered of every thing about his person, even to the last article of clothing; and, but for the charity of some one who bestowed on him an old quilt, he would have been left altogether destitute of covering. In this forlorn condition he was visited by his old antagonist, Aly Reza, who reproached him with his conduct respecting the proffered marriage. Hafiz answered, that he and Aly Reza were then serving their respective masters, and that the day was past. The remembrance of it was, however, not past. The victim was in the power of a prince who never

CHAP. XIV. forgot an injury—in the presence of one of his minions ready to perform any act which he believed would be gratifying to his master, and who in this instance was influenced by feelings of personal hatred. Hafiz was carried to a concealed situation, fitted for the execution of dark and bloody deeds, and there murdered with circumstances of extreme barbarity, Aly Reza feasting his eyes with the vengeance inflicted on his opponent. The success of the attack upon Goorumconda was further signalized by the murder of a French officer in the service of the Nizam; and thus the triumph of Tippoo's army was celebrated by acts of treachery and cruelty, which Tippoo himself need not have disdained to superintend.* The advantage, whatever it might be, resulting from these murders, was nearly all that Tippoo gained by the recapture of the lower fort of Goorumconda, which was speedily restored to the Nizam by the English detachment.

The Mahratta army under Purseram Bhow, with a British detachment under Captain Little, had, on leaving Lord Cornwallis, proceeded to attack a fort named Dooradroog. The Mahratta general had anticipated that it would surrender without opposition; but, after repeated attempts, its reduction was found impracticable, and the army continued its march towards Chittledroog. That place was

* The folly of Hafiz Jee subjected him, in spite of the unfortunate consequences to himself, to a suspicion of having entered into treasonable connection with the enemy. There appears, however, no ground for charging him with any thing beyond extreme indiscretion.

reconnoitred, but deemed too strong for attack. CHAP. XIV.
Purseram Bhow entertained some hope of buying over the killadar; but either that officer's honesty, or the fact that his family were detained in Seringapatam as hostages for his fidelity, forbade the conclusion of a bargain. Purseram Bhow consoled himself for the disappointment by plundering whenever opportunity presented. The illness, real or pretended, of the Mahratta general, delayed for a time the progress of the army; but on the 18th of December they arrived near Hooly Onore, a fort A. D. 1791.
which Captain Little immediately proceeded to reconnoitre. It was thought that it might be attacked with a prospect of success. The pettah was gained with little difficulty, and thence some guns opened on the fort, at a distance of a hundred and fifty yards. A breach having been effected, the fort was stormed with success, and without the loss of a man, on the same day which, with similar immunity from loss, transferred the important fortress of Savandroog into the possession of the English. The garrison was reported to be a thousand strong, but Lieutenant Moor, who was one of Captain Little's detachment, concludes that they did not exceed half that number. Assuming their strength at this reduced estimate, that officer, however, makes a remark, the truth of which is in no degree invalidated by the colloquial simplicity with which it is conveyed, that "they ought to have been ashamed of themselves for making so pitiful a defence."* It

* Lieutenant Moor's Narrative, page 146.

CHAP. XIV. was the intention of the stormers not to allow any of the Mahratta looties* to enter the place; but the news of its capture was soon carried to their camp, and though the gates were shut, the ladders removed from the breach, and every precaution taken to exclude access, these marauders found means to penetrate, and, like noxious and destructive insects, to spread themselves over the place. They set fire to the houses, and the work of devastation and plunder soon became general. Seeing no other chance of securing any thing, the English commander permitted his people to disperse and plunder also. But this was soon stopped by the arrival of orders from the Mahratta general for the English party to quit the place, and as they were placed under his control, the orders could not be disobeyed. The English troops, who had won the prize, were thus deprived of all participation in it, while the Mahrattas, who had not contributed in even the slightest degree to the fall of the fort, were left to gratify, without restraint, their insatiable appetite for plunder. Purseram Bhow, however, indulged in the luxury of a speculative admiration of virtue, though he left the practice to others. A family of some note in the town had received the protection of an officer of the English detachment; but though their own safety was thus provided for, they were deeply distressed by the loss of a youthful daughter, who, in the confusion, had been separated from her parents. Through the exertions of the officer by whom they

* Plunderers.

had been protected, the girl was found and restored to her relatives. These circumstances reached the ears of Purseram Bhow, who, says Lieutenant Moor, "mentioned them in full durbar, in a manner highly honourable to himself and the British character;" further, he recommended the example to the imitation of his own servants, and there can be little doubt that the recommendation was received with a degree of respect equal to the sincerity with which it was given.

After the fall of Hooly Onore, the Mahratta army and Captain Little's detachment proceeded in a south-western direction towards Simoga. Tippoo had strengthened his provincial troops in Bednore by the addition of a division under his relation Reza Saib, and that officer was thus enabled to take the field with a force of eight thousand men and ten guns. This force was posted in the jungle, with the intention of making an attack on the rear of the confederates, as soon as they should be engaged in the siege of Simoga, simultaneously with a sortie to be made from the fort. This being known, it became an object of importance to dislodge them previously. The position of Reza Saib was strong; his right rested on the river, his front was covered by a deep ravine, and his left by jungle, deemed impenetrable there, but which became somewhat lighter at a distance.

The force destined to the attack upon Reza Saib was composed of about a thousand English sepoys, with four guns and five hundred Mahratta infantry.

CHAP. XIV. Three thousand Mahratta horse were posted near the place of attack, but from the nature of the ground they could be of little use. The enemy's position being strongest in front, it was thought expedient to detach parties to attack them on the right and left; but the main attack, led by Captain Little, was directed to the centre. On the part of the English, the contest was maintained, under great disadvantages, with distinguished spirit. The Mahratta infantry sometimes charged when they saw the enemy appearing to give way, but they were invariably beaten back, and their disorderly return increased the difficulties with which the British officers had to contend. At length the enemy, being driven from their posts on the left, and three of their guns taken, began to retreat; and Captain Little, collecting all the force that could be mustered, set forward in pursuit. There was but one road through the jungle, and before five miles had been traversed, the English commander came up with the enemy's remaining guns, seven in number, which he captured; but so far from relaxing in the pursuit, he continued it through the whole of the following day, and the result was the entire dispersion of the corps of Reza Saib. The departure of Captain Little and his troops left the enemy's camp to the care of the Mahrattas; and here those warriors, who shrunk from the fire of retreating men, found a field precisely adapted to their genius. The amount of plunder was enormous, and such a quantity of arms fell into the hands of the captors, that in the bazaar good muskets were offered for sale at

two rupees each. By some accounts, the force of Reza Saib is stated at ten thousand infantry and a thousand horse, and the lowest estimate fixes the number of infantry at seven thousand. This, posted in a most advantageous position, was defeated by about a thousand English sepoys, for the Mahratta troops cannot be regarded as having contributed any thing to the success of the day; they were rather an incumbrance than a support. By military writers this action has been regarded as one of the most brilliant of the war.*

The army of Reza Saib being dispersed, Captain Little prepared to prosecute the siege of Simoga. A battery of five guns, after a day's firing, effected a practicable breach. All was ready for the storm, when an offer of capitulation upon terms was made and accepted. The commander of the fort duly appreciated the value of Mahratta faith, for it was thought necessary to stipulate, not only that private property should be respected, but that the inhabitants should be considered under the protection of the British, who were to guarantee the treaty and take possession of the fort. These conditions were to continue in effect only until the English detachment retired from the vicinity. On its march to the southward, the custody of the fort was transferred to the Mahrattas; and also the charge of some prisoners of rank, who, within the English camp, had been treated with marked attention and kindness,

* Such is the opinion expressed by Major Dirom and Colonel Wilks.

CHAP. XIV. and been totally exempted from restraint. A short time after the change, these prisoners were seen by some officers who had known them in the English camp: their condition was wretched. They had been plundered of every thing valuable, and receiving neither money nor subsistence, they had been compelled to sell their clothes to procure the means of sustaining life. Some officers of inferior rank were in one respect better treated — they received an allowance, but to counterbalance this advantage they were kept in irons. Such is Mahratta faith and Mahratta humanity.

Purseram Bhow was to have joined Lord Cornwallis with all dispatch before Seringapatam. Instead of this, he preferred a plundering expedition into Bednore; but being alarmed by the approach of a force sent against him by Tippoo, under the command of Kummer-oo-Deen, who had retaken Samoga, he determined to perform his engagement with the British governor-general, since no advantage seemed likely to accrue from taking any other course.

It is now necessary to return to the British army under Lord Cornwallis, which was at Ootradroog, awaiting the coming up of some artillery, some stores, and a battering train, as well as the expected junction of the army of the Nizam. These objects being accomplished, the combined army commenced
A. D. 1792. its march, and on the 5th of February Lord Cornwallis was once more in sight of Seringapatam, and of Tippoo's army encamped under its walls.

On both sides of the river, opposite to the island of Seringapatam, a large space is enclosed by a bound hedge, which marks the limits of the capital, and affords a place of refuge from the incursions of cavalry. On the north side, the enclosure was occupied by Tippoo's army. Within it were several redoubts, one of which, erected on a commanding eminence, was a post of great strength. There were other works calculated to shield his troops from attack, or facilitate retreat in case of necessity, and his front line was defended by a hundred pieces of heavy cannon. In the fort and island which formed his second line there were not fewer than three hundred pieces of cannon. Reconnaissance having been made, Lord Cornwallis determined to attack the enemy on the night of the 6th February, A. D. 1792. an event quite unexpected by Tippoo, and the apparent temerity of which, seeing that it was to be performed by infantry alone, without guns, filled the allies with astonishment. The attack was made in three columns. Between ten and eleven o'clock the central column on its advance encountered the enemy's grand guard, a body of cavalry, who were approaching with rockets to disturb the English camp, which annoyance they had practised on the preceding night. The horsemen immediately galloped off to their lines, leaving the bearers of the rockets to harass the column and endeavour to impede its march. Many rockets were thrown, but they had little effect beyond that of announcing to the enemy the approach of the British column. The

CHAP. XIV. front division, on being discovered, pushed briskly forward, reached the hedge, and entered the enemy's lines about a quarter of an hour after their approach became known.

The left column, when the rocketing commenced, was ascending the Carigaut Hill, an eminence on the right of the enemy's camp, near the termination of the bound hedge. The hill is steep, and of great height; it commands one of the fords and the eastern part of the island, and protected the right wing of the Sultan's camp. This post was justly regarded as of great importance, and proportionate care had been taken to strengthen it; it was defended by a double breast-work in front of a stone redoubt, but the work was not entirely completed: a considerable body of infantry, but without artillery, was stationed upon it. The Carigaut Hill terminates the range over which Colonel Maxwell had chased a corps of the enemy at the battle in the month of May preceding. The same officer now commanded the column directed to this point, and the works were scaled by the flank companies of the 72nd, the regiment by which the hill was stormed on the former occasion.

The right column, under General Medows, was to attack the left of the enemy's position. From some mistake, it was led to a more distant point than was intended, and was consequently later in reaching the hedge than the central column; but about half-past eleven this column also entered the enclosure, and proceeded to attack a redoubt within the enemy's

lines, but not included in the course of operations contemplated by Lord Cornwallis, and which, after a severe conflict, was carried. It was intended that the right column should advance to meet the central column, and then await further orders. General Medows, accordingly, having left a sufficient force for the defence of the captured post, proceeded to move in a direction which he expected to bring him to the spot marked out for him; but the occurrence of rice swamps compelled him to make a larger circuit than had been anticipated, and thus the track of the central column was missed. No firing being heard, it was conceived that all was past, and that, whether the other columns had gained a victory or sustained a defeat, it was too late to render them any assistance.

The central column, the advance of which has already been noticed, was subdivided into three parts. The front subdivision, after forcing the enemy's line, was to pass into the island with the fugitives. Orders were issued to the captains of the leading companies not to suffer themselves to be delayed in the camp, but to push with all possible expedition to the great ford near the north-east angle of the fort. Each captain was held responsible for his own company; as success was more dependent upon the celerity than solidity of the movement. The second, or central subdivision, after clearing the right of the camp, was to follow into the island. The third, in the rear, formed a reserve under Lord Cornwallis, who took up a posi-

CHAP. XIV. tion where he might support the other parts of the column, and wait the co-operation of the right and left divisions under General Medows and Colonel Maxwell.

The front subdivision, having forced the bound hedge under a heavy but ill-directed fire of cannon and musketry, advanced steadily, the enemy receding before them. The leading companies pushed for the river, passing the Sultan's tent, which appeared to have been abandoned with much precipitation.* The advanced companies, partly from the badness of the ground, partly from the nature of the duty which they had to execute, were soon separated into two bodies. The first that reached the river crossed under the very walls of the fort without opposition; and "had it not been found," says Major Dirom, "that the east gate of Seringapatam was shut and the bridge drawn up, that night might have put an end to the war; as Captain Lindsay pushed into the sortie (the entrance which leads through the glacis into the fort), in hope of entering the gates with the fugitives."† This party proceeded along the glacis through an extensive bazaar, destroying numbers of the enemy, and dispersing several

* Many things of value were scattered about in confusion, and among other articles was found a set of mathematical instruments of London manufacture. Tippoo affected, and to a certain extent acquired, the reputation of a man of science. His library contained a translation of Euclid, and several other works on geometry; but Colonel Wilks estimates his mathematical attainments at a very low rate.

† Narrative, page 154.

bodies of horse; they then took post, part at a bridge over a canal running nearly across the island, part at a redoubt commanding the southern ford.

The second body crossed by the same ford which their companions had passed a few minutes before. Their passage was considerably impeded by the rush of the enemy towards the island, but no attempt was made at resistance. On reaching the opposite bank, they turned to the left, and advanced for about a mile to the western gate of the pettah. It was shut, but was soon forced open; the troops stationed for its defence having, on the first alarm, rushed out to man the lines and batteries on the river. The firing from these lines and batteries informed the British party that the right of the enemy's camp had been penetrated, and it was concluded that the assailants were probably attempting to force their passage into the island. Three parties were detached to aid the operation, by taking the batteries in reverse, while Colonel Knox, who commanded this portion of the advanced companies, having taken possession of the street which led to the batteries, remained at the gateway with about thirty men, either to support any of the parties who might receive a check, or to resist any attempt by the enemy to recover possession of the pettah. But the enemy were too much confounded even to maintain what was still in their possession. The lines and batteries, which were all open to the rear, were abandoned, and those by whom they should have been defended dispersed in confusion. From one of the terrified fugitives who

CHAP. XIV.

was made prisoner, Colonel Knox received information that some Europeans were confined in a house at no great distance; and to this circumstance twenty-seven miserable, half-starved men, some of whom had passed years of captivity in heavy irons, owed their release.

Seven battalions of Europeans and three of sepoys passed the river at a period subsequent to the passage of the two parties whose course has been detailed, and by another ford, which brought them to the Sultan's garden; they forced the gate and entered. Captain Hunter, who commanded this party, was not aware that any other troops had passed into the island; he therefore took post, resolved to wait for intelligence or orders to direct his movements. He remained for two hours without learning any thing. The dawn of morning was not far distant, and after daylight he knew that his post would not be tenable; he perceived, also, a body of the enemy on the opposite bank, with two field-pieces, which he apprehended they intended to open on his party. This decided his course; and quitting the garden, he rushed with his men into the river, which he passed under a heavy fire, attacked the party with the guns before they had time to unlimber them, and thence made his way through the camp to the reserve under Lord Cornwallis.

The second subdivision of the central column passed to the left, as intended, for the purpose of breaking the right wing of the enemy's army. On approaching the Sultan's redoubt its progress was

opposed by a large body of horse. They were received by a volley, delivered with great steadiness and precision; and when the smoke cleared away, the horse were seen at a distance scattered over the field. The Sultan's redoubt was found abandoned; and this being occupied by a party detached for the purpose, the remainder moved on to cooperate with the column under Colonel Maxwell.

The rear division of the central column, which was under the immediate command of Lord Cornwallis, was formed near the Sultan's redoubt, and there it waited in anxious expectation of being joined by General Medows. He came not; but, at a moment when a reinforcement was most desirable, the troops under Captain Hunter, who had just recrossed the river from the Sultan's garden, made their appearance. They had scarcely time to replace their ammunition (their cartridges having been damaged by the water), before a large body of troops, forming part of Tippoo's centre and left, having recovered from their panic, advanced to attack the force under Lord Cornwallis. The attack was vigorously made and bravely resisted. The fire of the enemy was well returned, and on a nearer approach, they were met and driven back by the bayonet. Their numbers, however, were overwhelming; and, in the confidence that from this cause victory must finally be theirs, they repeatedly renewed the attack, and were as often repulsed. The danger to which the small force with the governor-general was exposed increased his anxiety for the arrival of the aid which he had so long expected;

CHAP. XIV. and he is reported to have said, "If General Medows be above ground, this will bring him." General Medows was above ground, but he did not arrive in time to render any service to the commander-in-chief. The repetition of the enemy's attacks continued for nearly two hours, when they finally withdrew. To secure his troops from being surrounded, Lord Cornwallis then moved to the Carigaut Hill, at the foot of which he was met by the division of General Medows.

The progress of the left column remains to be noticed. After gaining the Carigaut Hill, and occupying the works upon it, this column continued its course towards the enemy's camp, under a galling fire from a party sheltered by a tank. Passing through the camp, it was met by the central portion of Lord Cornwallis's division, under Colonel Stuart. It was now desired to find a convenient spot to pass the river. A small party crossed at a point where the water reached to the necks of the men, and where they were exposed to a heavy fire from the lines and batteries on the island. Their ammunition was unavoidably damped in the passage, and when they gained the opposite bank they were without a single cartridge fit for use. Happily they were not in immediate necessity, for at this moment the enemy were driven from the lines and batteries by the parties dispatched by Captain Knox from the pettah. A more practicable part of the river having been discovered, the remainder of the column passed over, and a junction was effected with the

detached companies from Lord Cornwallis's division which had crossed at an earlier period. The morning of the 7th of February thus found within the pettah of Seringapatam the left column and part of the central column of the British force, which had moved on the preceding night; the right column, and the remainder of the centre, being on the Carigaut Hill. A. D. 1792.

It is natural to inquire, where was the Sultan while his camp was traversed by a hostile force? He had just finished his evening meal when the alarm reached him: he hastily rose and mounted, but waited the arrival of accurate intelligence as to the nature of the attack, before taking any measures to repel it.

The first precise information was received from a mass of fugitives, who, rushing from the bayonets of the English, announced to the astonished Sultan that his centre had been penetrated. The terror of the informants but too well attested the truth of their report; of which, moreover, the Sultan was soon assured by the evidence of his own senses. In the pale moonlight he perceived a lengthened column of the English army passing through the heart of his camp, and making their way to the main ford, the possession of which would cut off his retreat. There was not a moment to be lost; and Tippoo, departing with all practicable speed, had just time to clear the head of the English column, many of his attendants being killed by the advanced company. Tippoo gained the ford, passed it, and

CHAP. XIV. making directly for the east gate of the city, was once more in safety within the walls of his capital. It will be recollected that Captain Lindsay made a push to enter this gate, but found it shut. When Captain Lindsay appeared before the gate, only a few minutes could have elapsed from the entrance of the Sultan.

Next in importance to the danger to which he was personally exposed, Tippoo in all probability estimated that in which a large amount of treasure
A.D. 1792. was placed. The 6th of February was the day for issuing pay to the troops. The required amount had been counted out to each buckshee,* but the issue to the men was not to take place till the following day; and in the meantime the respective sums remained in the custody of the treasurer, in bags bearing his own seal and that of the buckshee to whom they belonged. On the first alarm of an attack, the treasurer began to load his charge upon camels with all possible dispatch. Musket-balls soon began to pass around him, and by one of them he was severely wounded. He continued, however, to proceed with his work, and completed it. The camels were loaded, and driven across the ford, intermingled with the British troops and the flying servants of Tippoo. They reached the bank in safety; and the undaunted treasurer, conducting his caravan for a considerable distance along the glacis, entered the city by the Mysore gate, and had the satisfaction of depositing his charge in security, without the loss of a single rupee.

* Paymaster.

The spirit of this courageous and persevering man was not shared by all the followers of the Sultan. As is usual, when misfortune overtakes an eastern army, a great number of the troops deserted. They passed away in crowds, and the reports of the morning after the attack presented a total of twenty-three thousand killed, wounded, and missing—the last class contributing in by far the largest proportion to swell the amount. The treasurer, who had so perseveringly protected his master's chest, recommended the proclamation of a further issue of pay, as a probable mode of bringing the fugitives back. The suggestion shewed a perfect acquaintance with the character of his countrymen, but the plan was not successful. Fear was more powerful than cupidity, and very few of the wanderers returned. While the native followers of Tippoo were thus deserting him by multitudes, a number of Europeans, principally Frenchmen, who had long served him and his father, took the opportunity of quitting a service of which they were weary. Among them was a man named Blevètte, whose departure was a serious loss to the Sultan, as he possessed considerable skill in fortification, and had actually constructed the redoubts the credit of which was claimed and enjoyed by Tippoo.

Discouraging as were the circumstances under which Tippoo had to renew the contest, he could not decline it. As the day advanced, the guns of the fort opened on such of the British troops as were within their range, and portions of the scattered

CHAP. XIV. remains of the enemy's force began to re-assemble. Colonel Stuart, who, as the senior officer, had assumed the command of all the British troops on the island, had taken advantage of the daylight to remove to a position better adapted than that which he had occupied during the night, for keeping up a communication with the force which remained with Lord Cornwallis. He had scarcely effected this change, when his men were fired upon by a body of the enemy's infantry, which had advanced under cover of some old houses and walls. The British troops were in a considerable degree sheltered, but part of their ammunition having been damaged in passing the river, and much of the remainder expended during the night, they returned the fire but faintly, till the arrival of a supply of ammunition and a reinforcement of men, which Lord Cornwallis dispatched to their assistance. The enemy then drew off.

This attack was no sooner repulsed than the attention of the English on the island was directed to the Sultan's redoubt, which the enemy were now making the most determined efforts to regain. The party within it consisted of somewhat less than a hundred Europeans and about fifty sepoys, commanded by Captain Sibbald, of the 71st regiment. In defence of the redoubt, the first object was to shut up the gorge, which was open towards the fort. An attempt to effect this was made by throwing across some broken litters and the carriage of a gun. This being perceived from the fort, three guns immedi-

ately opened from thence upon the gorge, and two field-pieces were sent to some adjacent rocks, the fire of which was directed to the same point. By these means the inefficient barrier was soon shattered into splinters, and considerable injury done to the works. The gorge being clear, the enemy, about ten o'clock, advanced to assault. They were beaten back, but with considerable loss; and soon after they had retired, a cannon-shot deprived the party in the redoubt of their commander, Captain Sibbald. Major Skelly, one of Lord Cornwallis's aide-de-camps, who had been dispatched to this spot on some special duty, now took the command, but found the probability of protracting the defence greatly diminished by the prospect of an approaching want of ammunition. While meditating the best means of husbanding the small stock that remained, Major Skelly was informed that two loaded bullocks had wandered into the ditch, and that it was supposed they were part of those which had been appointed for the carriage of spare ammunition. The conjecture was right. The animals were soon released of their lading; and these stray bullocks, with their unsightly burdens, "were," says Major Dirom, "more precious to the major and his party at this juncture, than if they had been loaded with the richest jewels in Tippoo's treasury."

Scarcely had the men filled their cartridge-boxes from this unlooked-for supply, when a fresh attempt was made on the redoubt. The Sultan had been greatly disappointed by the ill success of the former

CHAP. XIV. attack, and had passionately demanded if he had no faithful servants to retrieve his honour. There was little alacrity in responding to the Sultan's call; but, after some hesitation, a body of cavalry was found to volunteer their services, in fulfilment of the wishes of their prince. About one o'clock they advanced towards the redoubt in compact order, two thousand strong. At first it appeared as though they intended to charge at once into the gorge; but they suddenly stopped, just beyond musket-shot, and four hundred of them dismounting, rushed impetuously forward, to force the entrance with their sabres. The gorge had been necessarily kept clear during the continuance of the cannonade; but when it ceased, by reason of the approach of the assailants, the garrison formed across the opening, while the portion of the parapet which bore on the enemy was also fully manned. Their fire was coolly reserved till it could be given with effect, and by the first discharge the leading part of the column was completely brought down. Recovering from the momentary hesitation caused by the fall of their comrades, those behind again began to advance; but the steady and rapid fire of the garrison threw them into confusion, and, regardless of the Sultan's appeal and their answer to it, they fled to their horses and soon disappeared, their retreat being covered by the firing from the fort and the rocks.

After the repose of an hour the garrison were threatened by another attack. It was led by the Sul-

tan's European corps, commanded by M. Vigie. This corps had been engaged in part of the operations of the preceding night, and being brought into a situation of some danger, it broke, and officers and men alike sought safety in disorderly flight. Their object was facilitated by the uniform of the corps being red; and M. Vigie himself rode quietly through one of the British columns, no one interrupting him, in consequence of his being mistaken for a British officer. The behaviour of this corps at the redoubt did not tend to obliterate the disgrace of their previous flight. The garrison were prepared for a conflict far more severe than those which they had already sustained; but the expectations founded on the supposed superiority of this corps to the native troops were not realized. M. Vigie and his men advanced but a little way from the rocks, when two or three of the foremost falling, the rest came to a stand, fell into great disorder, and went off.

No further attempt was made on the redoubt; and never was relief more welcome than that afforded to the garrison by the cessation of the enemy's attacks. The day had been oppressively sultry, and within the narrow limits which bounded the efforts of the garrison two officers and nineteen privates lay dead; while three officers and twenty-two privates, miserably wounded, were passionately imploring water, which their companions had not to bestow, there not being within the place a single drop. Thus surrounded within by death and suffering, exposed without to the attacks of a vast army sup-

CHAP. XIV. ported by the guns of a well-appointed fort, did this gallant band maintain, not their post only, but their own honour and that of the country which they served. Great were their labours and their difficulties, but brilliant and unfading is the glory by which they were compensated.

So long as the enemy's attention had been directed to the redoubt, no attempt had been made upon any other of the British posts. But about five o'clock two heavy columns entered the pettah, and driving before them some followers of the British camp who had dispersed in search of plunder, advanced in the direction of the lines of Colonel Stuart, throwing rockets as they proceeded. A detachment being sent to meet them, they retired for a short distance; but their numbers were greater than had been anticipated, and the officer commanding the British detachment applied for further assistance. A reinforcement being obtained, the work of clearing the pettah of the presence of the enemy was not of long duration. They were rapidly driven from street to street, and finally forced to retire altogether. A prisoner taken in the course of the conflict reported that Tippoo had convened his principal officers, and exhorted them to make a bold effort to drive the English from the island, and recover the tomb of Hyder Ali; that the chiefs had thereupon placed their turbans on the ground, and sworn to succeed or perish in the attempt. The attack, the prisoner added, was to be made that night, and the march of the assailants was to be directed along the

bank of the northern branch of the river to turn the right flank of the British line, and to cut off the communication with the camp. The account was so circumstantial that it appeared deserving of credit—at least, it would have been imprudent to disregard it. Arrangements were accordingly made for effectually repelling an attack, should any be made. The force in possession of the pettah was strengthened by the addition of four field-pieces to their means of defence, and the troops lay on their arms throughout the night. It passed, however, without alarm; and the morning shewed the whole of the redoubts north of the river abandoned. The English camp was thereupon advanced as near to the bound hedge as was practicable, picquets were sent into the deserted redoubts, and a chain of posts completed along the north and east faces of the fort, converting the enemy's fortified camp and works into lines of countervallation for the attack of his capital. "The proud city of Seringapatam," says Major Dirom, "which we could scarcely discern from our first ground, was now in forty-eight hours strongly and closely invested on its two principal sides; the enemy's army broken and dispirited; ours in perfect order, and highly animated by their success."

Preparations for a siege were commenced without delay. A little to the eastward of the pettah was a garden of great extent, containing the tomb of Hyder Ali and a new palace erected by Tippoo.*

* This was not the garden where Captain Hunter took post on the night of the 6th of February, which lay to the westward of

CHAP. XIV. It was filled with magnificent trees, now destined to fall beneath the axes of the English pioneers, and to be employed in operations directed against the last retreat of the man to whom their spreading branches had formerly afforded shade, and their
A. D. 1792. fruits refreshment. Throughout the 8th of February, while the English were actively engaged in preparing for the meditated blow against the citadel, Tippoo shewed no symptom of energy, beyond wasting a large quantity of ammunition in a fruitless cannonade directed to the island, to the redoubts, to every scattered English party, and sometimes to their head-quarters: but the distance on all sides was considerable; and the pleasure of maintaining a continuous noise, and darkening the atmosphere by masses of smoke, was the only advantage derived from the exercise. In the evening he resolved to renew his attempt at negotiation. No intercourse of a pacific character had taken place for more than a month, and to the last overture from the enemy Lord Cornwallis had indignantly answered, that when the prisoners taken at Coimbatore, and unjustly detained in breach of the capitulation, should be sent back, he would in concert with the allies make arrangements for the commencement of negotiation. Two of these prisoners Tippoo now determined to employ as instruments of a new appeal to the governor-general. Lieutenants Chalmers and Nash were unexpectedly summoned to an audience

the pettah, and was of much smaller dimensions than that mentioned in the text.

of the Sultan, and on their attendance were informed that they were about to be released.* After communicating this welcome intelligence, Tippoo inquired if the former officer were not related to Lord Cornwallis? Receiving an answer in the negative, he then asked if he were not an officer of high rank? Lieutenant Chalmers having disclaimed this supposed ground of influence with the British commander-in-chief, Tippoo next inquired whether the emancipated prisoner, on his return, would have any personal intercourse with the governor-general? and having learned that he expected to be admitted to an interview, the Sultan requested that he would take charge of letters making overtures of peace, and lend his aid towards attaining the object. The charge was accompanied by a present to the officer receiving it of two shawls and five hundred rupees, and a promise that the baggage of both himself and his companion should be sent after them. Lieutenant Chalmers undertook to gratify the Sultan's wishes by the delivery of the letters; but at the same time warned him, that beyond this it might not be in his power to promote his views.

In the communication thus transmitted, Tippoo, with his habitual disregard of truth, asserted that the terms of the capitulation at Coimbatore had been misrepresented—that Kummer-oo-Deen did not en-

* The topasses and part of the sepoys taken at Coimbatore having been confined in the pettah, had previously obtained their liberty through the success of the British army in that quarter.

CHAP. XIV. gage positively for the liberty of the garrison, but only promised to recommend it. The counterpart of the articles of capitulation, signed and sealed by Kummer-oo-Deen, had been retained by Lieutenant Chalmers; and had he been able to produce this with the letters of which he was the bearer, the veracity of Tippoo would have required no further illustration. But the Sultan was too tender of his reputation to expose it to such hazard; and before the English officer was permitted to depart, he was forcibly dispossessed of the document which would have furnished so unseasonable a commentary on the letters. Lieutenant Chalmers, however, was able to speak to its contents, and to the manner in which it had passed out of his keeping; but notwithstanding this—notwithstanding that the demand for the surrender of the prisoners taken at Coimbatore had been but partially complied with, Lord Cornwallis, with that degree of moderation which verges on weakness, if it do not actually pass the line of separation, yielded to the Sultan's request, and consented to admit his vakeels to confer with those of the allied army.

Coincident with the pacific mission to the English camp of Lieutenants Chalmers and Nash, Tippoo was preparing another of a very different character. His object was the death of the English commander-in-chief; and on an expedition directed to this purpose, a select body of horse moved on the same day on which the two British officers were released, and

crossed the river at Arikery. The movement was observed, but no particular importance was attached to it. The following day was employed by the detached party of the enemy in collecting information. On the third day their advanced guard interposed itself between the camp of Nizam Ali and that of the English, not unobserved, but without exciting suspicion, the intruders being mistaken for a party of Nizam Ali's horse. So similar were they to that body in appearance, that they were allowed, without interruption, to advance to the British park of artillery. Arrived there, they carelessly asked of some natives in attendance on the guns, which was the tent of the burra Saib—the principal commander. Even yet no suspicion was excited, but the question was misapprehended. The inquiry was supposed to apply to the tent of Colonel Duff, the commandant of the artillery, which was, without hesitation, pointed out. The horsemen then suddenly drew their swords and galloped towards the tent which they supposed to be that of Lord Cornwallis, cutting down the few persons whom they met on their way; but before they reached the tent towards which they were furiously riding, their ardour received a check. On the alarm of their approach, a small body of sepoys turned out, whose fire soon changed the course of the horsemen, and sent them towards the hills in flight, at the same headlong speed with which they were previously rushing to the tent of Colonel Duff. Although, from the mistake that had occurred, Lord Cornwallis had been in no danger, this attempt was

CHAP. XIV. justly thought to call for some additional precautions for securing the safety of his person.*

While the army of Lord Cornwallis was engaged in preparing for the siege of Seringapatam, it was joined by that of General Abercromby. That officer, on the former retreat of the governor-general from before Tippoo's capital, had, in conformity with his orders, withdrawn his army to Malabar. He had himself proceeded to Bombay, where his duties as governor required his presence; but returning to Telicherry after a short absence, with a new battering train, a supply of ammunition and stores, and a body of recruits, the army of Bombay thereupon quitted its cantonments and re-assembled at Cananore. Its subsequent march lying through a mountainous country, the transport of the artillery stores was attended with great difficulty; but it
A. D. 1792. had been surmounted, when, late in January, General Abercromby received orders from Lord Cornwallis to leave his battering train and advance with

* An attempt against the person of Lord Cornwallis had been made by three horsemen near Bangalore, but it was the mad result of intoxication. The attack mentioned in the text was premeditated with great care, and though it has been said that on this occasion too the horsemen were under the influence of *bang*, the assertion is discredited by Colonel Wilks. That officer speaks of this and the former attack as attempts at assassination. Major Dirom, in speaking of the later attack, uses the same term. But this view of the transaction appears unwarranted. Assassination was with Tippoo an ordinary instrument of effecting his purposes; but an attack by a body of armed men upon the person of the general of a hostile army, made with no ordinary boldness and involving great personal danger, seems not to deserve to be stigmatized as an attempt at assassination.

his field artillery only. The heavy guns and stores were accordingly sent back to the top of a ghaut which the army had just descended, and there placed in batteries erected for the defence of the pass. On the 11th of February General Abercromby crossed the Cauvery about thirty miles above Seringapatam, and after meeting with some annoyance from the enemy's cavalry, who took part of his baggage, joined Lord Cornwallis on the 16th. A. D. 1792.

The vakeels of Tippoo had arrived, in accordance with the permission given by Lord Cornwallis, and the process of negotiation was carried on simultaneously with the most vigorous preparation on one side for the prosecution of the siege—on the other, for the defence of Seringapatam. The fort was of a triangular figure, covered by branches of the river on its two largest sides. The third side, which was towards the island, was covered by strong outworks. Two broad and massy ramparts, the second at a considerable distance within the first, and, both having good flank defences, a deep ditch with draw-bridges, and various advantages derived from the skill of Tippoo's European servants in the modern principles of fortification, enhanced the difficulty of approach on this side. Notwithstanding these circumstances, it was, in the first instance, selected as the point for the main attack, and the ground of the choice appears to have been an expectation that, as there were no impediments but those of art to encounter, the superiority of the British troops and artillery would secure success. More careful observation led to

CHAP. XIV. the adoption of a different plan, the change being accelerated by intelligence and suggestions from Tippoo's European servants—who were now quite as ready to exercise their skill and knowledge for his destruction as they had previously been assiduous in using them for his defence—and it was resolved to make the principal attack across the river against the north side of the fort. The curtain there was perceptibly weak, and by extending close to the bank of the river, left no room for outworks. The flank defences were few, and of little value—the ditch excavated from the rock was stated to be inconsiderable, and was moreover dry. The stone glacis built into the river was in two places imperfect. The walls, it was concluded, might be trenched to the foundations, and the probable effect would be the filling up the greater part of the ditch. The main objection was the intervention of the river; but this was not thought sufficient to counterbalance the advantages of the plan.

The works constructed by the English advanced with great rapidity and great secrecy. When their design became fully visible, Tippoo, despairing of success in the endeavour to repel the invaders by the fire of the fort, attempted to distress them by turning the water from a large canal by which the English camp was principally supplied. The attempt was discovered in time to prevent its completion, and the small damage which had been done to the bank of the canal was speedily repaired. On the

A.D. 1792. 22nd of February, General Abercromby advanced

his posts for the purpose of aiding in the operations of the siege. On the same day Tippoo made a new effort to drive the English posts to a greater distance from his capital, but was defeated. Through two succeeding days the besiegers steadily proceeded with their preparations; in four days more it was expected that two breaching batteries, one of twenty, the other of twelve guns, would be ready to open, together with an enfilading battery of at least ten pieces. These were to be assisted by a cross fire from the island, but more especially from the redoubt formerly called the Sultan's, but which had most properly received from the English the name of Sibald's redoubt, in honour of the brave officer who fell while commanding the gallant band who so nobly defended it. Colonel Duff had his park fully provided and arranged. Even furnaces had been prepared for heating shot, and from the combustible nature of the materials of which many of the buildings within the fort were composed, it was anticipated that the fire of the batteries would not long be opened before the place against which it was directed would be wrapt in flames. To add to the embarrassments of the enemy, Purseram Bhow, with the Mahratta army and Captain Little's brigade of English sepoys, was now approaching, as was Major Cuppage, with a force from Coimbatore. While the allied armies were thus concentrating their force around Tippoo's capital, they were exempted from the difficulty which had formerly driven Lord Cornwallis from before Seringapatam when victory seemed to be within his reach;

CHAP. XIV. the supply of provisions was abundant. Such was the condition of the armies of the allies—numerous, well appointed and well supplied, the thunder of their cannon was about to be poured upon a fort, the last hope of the enemy, within which sate the prince whose aggressions had brought to his gates as a foe the head of the English government of India, bound by the most imperative instructions to preserve peace if practicable, and disposed by his own wishes to maintain the same course. On the head of the man who had so wantonly protracted the calamities of war was the storm now approaching about to burst. The English army almost looked upon themselves as in possession of Seringapatam,

A. D. 1792. when, on the 24th of February, orders were sent to the trenches that the working should be discontinued, and all hostile demonstrations cease. The orders were received with that feeling which accompanies the hearing of any sudden and inexplicable communication. It was at first supposed that there must have been some mistake—but it was soon ascertained that this belief had no foundation. The orders became intelligible when it was known that, after several days' conference between the agents of the respective governments, those of the allies had delivered their ultimatum—that the conditions therein laid down had been assented to by the Sultan, and the preliminaries signed. The discussion had been brought to a conclusion on the 22nd, and the demands of the allies forthwith submitted to Tippoo. They were embodied in five articles to the following

effect:—First, that one-half of the dominions of which Tippoo was in possession before the war should be ceded to the allies from the countries adjacent to theirs; secondly, that Tippoo should pay three crores and thirty lacs of rupees, one-half immediately, and the remainder by three instalments, at intervals not exceeding four months each. Six crores had been originally demanded; but the Sultan's vakeels denied the ability of their master to pay more than the sum finally agreed upon, and offered to confirm their denial by the solemnity of an oath. After the tender of such a proof of their veracity, who could disbelieve them? Lord Cornwallis, it would seem, did not. The third article stipulated that all prisoners taken by the four powers—the English, the Nizam, the Mahrattas, and Tippoo—from the time of Hyder Ali, should be restored; the fourth, that two of Tippoo's sons should be given as hostages for the due performance of the treaty; and the fifth provided that when the hostages should arrive in the camp with the articles of the treaty, under the seal of the Sultan, a counterpart should be sent from the three powers, hostilities should entirely cease, and the terms of a treaty of alliance and perpetual friendship should be agreed upon.

On reading these articles, Tippoo assembled his principal officers in the great mosque, and having laid before them the Koran, adjured them by its contents to answer sincerely the question he was about to propose to them. Having read the arti-

CHAP. XIV. cles, he said, "You have heard the conditions of peace—you have now to hear and answer my question. Shall it be peace or war?" The assemblage thus appealed to were loud and unanimous in professions of devotion to their sovereign, and of their readiness to lay down their lives in defence of his person and capital; but they were equally unanimous in declaring—softening, however, the repulsive truth so as to render it not quite unfit to reach the ears of an oriental despot, but still without disguising it—that the troops were altogether dispirited, and that no confidence could be placed in them. The reed to which the fast sinking hopes of Tippoo clung was now broken. The men who never before had ventured to intrude upon the royal ear any unwelcome sound, now dared to speak that which was true in preference to that which was agreeable. The extremity of danger had made them sincere, and for once their master had received counsel that was above suspicion. He felt that it could not be disregarded. The articles were signed and dispatched to Lord Cornwallis, but indulgence was solicited with regard to that which stipulated for the transmission of the preliminaries by the youths who were to be detained as hostages. They were not thus transmitted; a short delay was asked to allow of due preparation for the departure of the princes, and the governor-general, with a very laudable feeling, granted it.

The liberality of Lord Cornwallis was not met with any indication of a similar nature on the part

of the enemy. Even the stipulation for the immediate cessation of hostilities, to which the Sultan's seal had been affixed, was disregarded. Immediately on receiving the preliminaries, Lord Cornwallis had issued those orders for the cessation of all warlike operations, which excited in his army so much surprise, not unaccompanied by something of despondency and something of indignation. It was not without difficulty that the men could be restrained from proceeding with the works which they had anticipated were to put them in possession of Seringapatam, and enable them to effect the triumphant deliverance of those victims of Tippoo's tyranny and perfidy who still remained within his power. But discipline prevailed—the wishes of the army were yielded to the demands of duty, and all offensive operations ceased. Not such was the conduct of Tippoo and his garrison. For several hours the fire of cannon from the fort, and of musketry from the advanced parties of the enemy, was kept up more vigorously than before; a British officer and several men were wounded in consequence of this audacious contempt of an engagement so recently concluded. Most just would the retribution have been, had the governor-general revoked his former orders, recommenced the construction of his abandoned works, and prosecuted the siege to the point when the possession of Tippoo's capital should have been decided by the comparative valour or the comparative numbers of those who assailed and those who defended it. Lord Cornwallis, however, contented

CHAP. XIV. himself with a series of messages, the earlier of which produced no effect. It may be doubted whether the latter were more efficacious than those which preceded them, or whether the discontinuance of the firing is not attributable to the influence of that caprice to which Tippoo was accustomed to surrender himself; but from some cause the firing came to an end, and the irritation which it occasioned in the minds of the British troops, who found themselves placed on unequal terms with the enemy, subsided. On this instance of the Sultan's folly and perfidy the observations of Major Dirom deserve notice, from their justness and force. "This extraordinary conduct in the enemy," says he, "was supposed in camp to arise from a mistake in the vakeels not having acquainted their master that hostilities must cease: but the Sultan could not be ignorant of the articles he had signed and sealed the preceding night; nor was this any great testimony of the sincerity of his wishes to terminate the war. Indeed, his conduct could bear no other construction than an insolent and revengeful bravado, to fire upon us when he could with impunity, and to impose upon the ignorant part of his own subjects and our allies, and leave their minds impressed with an idea that his superior fire (for we had opened no guns upon the fort) and his resolute defence had been the means of his obtaining peace."*

A.D. 1792. On the 26th of February, the fourth article of the preliminaries was carried into effect by the departure

* Major Dirom's Narrative, page 222.

of the hostage princes from Seringapatam to the British camp. The elder of the princes was about ten years of age; his brother two years younger. Each was mounted on an elephant richly caparisoned, and their dresses glittered with numerous and valuable jewels. They were attended by the Mysorean vakeels who had conducted the negotiation; several messengers mounted on camels, and seven standard-bearers, carrying small green flags suspended from rockets, preceded the princes; a hundred pikemen, with spears inlaid with silver, immediately followed them; and a guard of two hundred sepoys with a party of horse brought up the rear. Great crowds were collected to witness the scene, whether actuated by the desire of beholding an imposing spectacle, or by some higher motive. The Sultan himself was on the rampart above the gateway through which his sons passed. They departed under a salute from the fort; and as they approached the British camp, twenty-one discharges from its park of artillery greeted their coming, while the part of the British line which they passed was turned out to receive them. On arriving at the tents prepared for their reception, they were met by the governor-general's agent Sir John Kenaway, and the vakeels of the Nizam and the Mahratta state. The governor-general had proposed to meet them here; but at the express desire of Tippoo this mark of attention was omitted, and it was arranged that they should proceed to the British head-quarters. The proces-

CHAP. XIV. sion accordingly advanced, with the addition which it had received from the accession of the diplomatic agents of the allies and their attendants, and was met by Lord Cornwallis, accompanied by his staff and some of the chief officers of the army, at the door of his lordship's principal tent. On the princes alighting, the governor-general embraced them; and then extending to each one of his hands, led them into the tent and seated them by his side. The duty of Tippoo's head vakeel, who had been placed in charge of the boys, was now at an end; and he signalized its conclusion by a graceful appeal to the feelings of Lord Cornwallis. "These children," said he, "were this morning the sons of the Sultan, my master; their situation is now changed, and they must look up to your lordship as their father." The governor-general made an appropriate reply, assuring the vakeel, and the princes themselves, that all possible care would be taken for the protection of their persons and the promotion of their happiness. The promise was religiously fulfilled; and the transfer of the paternal character announced by the vakeel "ceased," says Colonel Wilks, "to be an Oriental image, if determined by the test of paternal attentions." A strong interest for the captive youths was indeed prevalent throughout the British army; a feeling which, with regard to the younger, was increased by the affecting circumstance of his mother having recently died from fright, occasioned by the attack on Tippoo's lines. So fully was the Sultan

contented with the reception of his sons, that he ordered a royal salute to be fired in testimony of his satisfaction.

In partial payment of the sum stipulated by the preliminaries, a crore of rupees was forwarded by Tippoo to the British camp. The vakeels continued to meet for the arrangement of the definitive treaty; but their progress was embarrassed by the usual arts of Indian negotiators. The cessions to be made by Tippoo were to be determined with reference to revenue; but the Sultan's vakeels pretended that the revenue accounts of many districts were lost, and proposed to supply their place by statements which, as might be expected, invariably over-rated the resources of the provinces to be surrendered, and under-rated those which were to be retained by their master. The vakeels of the Nizam and the Mahrattas produced counter-statements, which in all probability were not less unfairly exaggerated or diminished than those of Tippoo. This was not the only source of difference. The value of the Sultan's coins was fixed by public regulation; and it was not unreasonable to expect that, in the payments to be made by that prince to the confederates, this valuation should be followed. Tippoo's vakeels, however, affirmed that it was applicable only to the receipt of money into the treasury; and that, when issued from thence, it was always at a rate much more favourable to the sovereign. This was probably true; but the allies were not readily to be persuaded to receive payment at the rate at which

CHAP. XIV. the Sultan had been accustomed to liquidate the debts due from him to his subjects. A middle course was at length adopted: the vakeels of the allies agreed to divide the difference in their respective modes of estimating the value of the coins, and thus to allow to the Sultan one-half the advantage which he obtained in dealing with those who could not resist him. A similar compromise was effected with regard to the estimated value of the different provinces constituting his dominions, and the labours of the negotiators seemed in a fair way of coming to a speedy conclusion.

But a new difficulty arose. Among the cessions demanded on behalf of the allies was Coorg, a mountainous country of considerable extent, but yielding only a very moderate tribute. The people of Coorg were Hindoos, and in their habits not very dissimilar from the Nairs of Malabar. They were warlike, and averse to foreign dominion. They had, however, been subdued by Hyder Ali; and though frequent insurrections had taken place, they were speedily suppressed, and the country continued to be an appendage to the throne of Mysore. The Rajah, when a youth, had been imprisoned by Tippoo; but effecting his escape, he succeeded in collecting round him a band of followers, by whose assistance he was enabled to assert his authority, and gradually to dispossess the foreign population which, in conformity with a frequent practice of the house of Hyder Ali, had been settled in the country. Not satisfied with this measure of success, he

retaliated on his enemy by levying contributions on the territory adjoining his own frontier, and by these predatory excursions he retrieved the resources of a country exhausted by the oppression of foreign conquerors. On the commencement of hostilities between the English and Tippoo, he gave passage to the army of General Abercromby through his dominions, and greatly facilitated their operations by the supply of provisions, the communication of intelligence, and the extension of every species of aid which he could command.* He had therefore

* In supplying the necessities of his protectors, the Rajah never declined either trouble or danger. An application was made to him for a supply of gun-bullocks. He answered, that the bullocks of Coorg were quite unfit for the purpose. This answer was not the effect of coldness to the cause of his friends, nor of any desire to evade the request made to him. It was in strict accordance with fact; and the Rajah immediately undertook a most hazardous expedition into Mysore to obtain for the English a supply of beasts adapted to their wants from the stock of their common enemy, the Sultan. He succeeded; and subsequently made other irruptions with the same object, and with similar success. His character was altogether extraordinary, and was marked by a degree of romantic generosity of rare occurrence anywhere, and most rare among the generally corrupt, effeminate, and perfidious race of Eastern princes. At the time of General Abercromby's passage through Coorg in 1791, the Mysoreans had been dispossessed of every fort which they had occupied, except Mercara, which was closely invested by the Coorgs, and expected to surrender within a very short period. Intelligence, however, was received of the approach of a convoy of provisions, escorted by a considerable body of troops; but this force was attacked and defeated by the Rajah, and being ultimately surrounded, was left without the possibility of escape. The immediate surrender of Mercara was consequently anticipated by the English general, who was greatly surprised to learn,

CHAP. XIV. a strong claim to the protection of the British government, which could only effectively be exerted by the transfer of his tributary dependence from Tippoo to the power whose interests the Coorg Rajah had so zealously promoted. Were he given up to the discretion of the Sultan of Mysore, no question could exist as to the use which would be made of the liberty. The honour of the British government seemed, therefore, involved in the assertion of the

from the intelligence which next reached him, that the convoy had been allowed to enter Mercara, and the escort to return in safety. The obvious conclusion was, that such an arrangement could only be the result of treachery, and that the Rajah was leagued with Tippoo against those with whom he had hitherto been acting. But his conduct merited a more favourable interpretation; and such an explanation of it was given as satisfied the English authorities of his sincerity, however they might disapprove of his acts. The commander of the escort had, during the Rajah's imprisonment, shewn him some acts of kindness; and he had established a still higher claim upon his gratitude, by preserving the honour of one of his sisters, and restoring her to the protection of her brother. The indulgence shewn by the prince was in acknowledgment of these favours. Even the killadar of Mercara, in compliment to the officer in charge of the convoy, was permitted for a time to remain free from molestation. With the aid of the English army the place might have been reduced immediately; but the Rajah declined to receive it. Still, Mercara was not to remain in the hands of the enemy. An understanding was established with the killadar, who was enjoined to consume all his provisions as fast as was practicable with a decent regard to appearances. This being accomplished, he was permitted to capitulate on terms; and the romantic Rajah not only gave the officer and his garrison safe conduct to Seringapatam, but presented them with a liberal donation of money. The walls of Mercara were then razed to the ground. Eastern romance scarcely presents any thing more extraordinary than these incidents of Eastern history.

demand for the transfer of Coorg; but on the other hand, as that country was not properly adjacent to the territories of any of the allied powers, the demand was not in strict accordance with the terms of the preliminaries.*

The rage of Tippoo, on learning the demand made on behalf of the English, was unbounded. "To which of the English possessions," he asked, "is Coorg adjacent? Why do they not ask for the key of Seringapatam?" To these passionate inquiries he added a declaration, that his enemies knew that he would sooner have died in the breach than consent to the cession, and that they dared not bring it forward till they had treacherously obtained possession of his children and treasure. It is certain that the possession of Coorg was most important to the English, as enabling them to hold Tippoo in check. For this reason, as well as in regard to the just claims of the Rajah upon their protection, it is deeply to be lamented that the preliminaries were not so framed as to allow of the demand for its surrender without giving the Sultan even a colourable pretence for complaining of bad faith. The importance of Coorg, and the services of the Rajah, could scarcely have been overlooked when the preliminaries were drawn. If such were the fact, the case was one of most

* The article relating to the cession of territory ran thus:— "One-half of the dominions of which Tippoo Sultan was in possession before the war to be ceded to the allies, *from the countries adjacent, according to their situation.*"

CHAP. XIV. reprehensible negligence. But the more probable opinion seems to be, that from the weak anxiety of the governor-general for peace, it was judged expedient to frame the preliminaries in such a manner as to keep out of sight any point likely to be peculiarly startling or disagreeable to the Sultan's feelings. The result was, that the English were ultimately compelled either to assert a claim in which their right was, to say the least, suspicious, or to abandon a meritorious supporter to the mercy of the tyrant of Mysore.

In this choice of evils, the governor-general made his election in favour of that which perhaps was, on the whole, the less. He refused to recede from the demand, ordered some guns which had been sent away to be brought back to the island and redoubts, and preparations recommenced for prosecuting the siege. Tippoo, with equal vigour, began to prepare for defence. Indeed he had scarcely, if at all, discontinued the work. For some time after the cessation of all active labours on the part of the English, the stir of preparation was observable within the fort. This, being contrary to the rules of an armistice and the custom of war, no less than to the conduct of the besiegers, was made the subject of remonstrance. Tippoo, in a tone of insolence thinly disguised under an appearance of extreme humility, answered, that Lord Cornwallis must have been misinformed; but for his lordship's satisfaction, if he desired, one of the bastions should be thrown down, that he might see

into the fort. The unexpected demand of the Coorg country furnished the Sultan with a sufficient excuse for pursuing his operations without disguise, and he lost no time in availing himself of the opportunity.

The ability of the English to carry on the siege was greatly impaired by the delay which had taken place. The greater part of the materials collected for the purpose had become unfit for use, and fresh supplies could be obtained only from a considerable distance and with considerable labour. The trenches had suffered much injury, and required repair—and worse than all, the army, especially the European part of it, by confinement to a fixed spot in an unhealthy situation during the most unhealthy season, had become greatly enfeebled by the encroachments of disease. So rapidly was sickness extending, that there was some reason to fear that by the time the necessary preparations for assault were completed, the requisite number of men for making the attempt, with a fair probability of success, would not remain effective. In other quarters there was ground for apprehension. Differences existed between the Nizam and the Mahratta allies of the British, and but little reliance could be placed on the fidelity of either, while Scindia was in motion with views believed to be not friendly to British interests. Thus circumstanced, every hour of delay diminished the strength of the British army and increased its danger, while it enabled

CHAP. XIV. Tippoo to add something to the difficulties with which it had to contend. To gain time by protracted negotiation was obviously the interest of the enemy, while to the English it was important to bring the point in dispute at once to a close. With a view to expediting such a result, on the return of the vakeels with the report of Tippoo's refusal to assent to the surrender of Coorg, the two hostage princes were apprized that they must prepare to move the next morning towards Coromandel, and their Mysorean guards were disarmed and placed under restraint. The youths, who were much affected by the intimation, were, in accordance with it, conducted to the rear of the army, but were there permitted to halt and await the result of a further attempt on the part of Tippoo's vakeels to induce their master, as they said, "to hear reason." These officers were desired to intimate that unless the signature of the Sultan were affixed without delay to a definitive treaty, based on the arrangements concluded between them and the vakeels of the allies, hostilities would be immediately resumed. Purseram Bhow had now arrived, and, according to Mahratta custom, felt little disposition to respect any suspension of arms which interfered with the acquisition of plunder. His horsemen set vigorously to work, and carried off a number of camels and cattle belonging to the enemy. Against this breach of the armistice Tippoo remonstrated, but it perhaps had some effect in influencing his final deter-

mination. After various excuses, the vakeels, on the 18th of March, once more appeared with the treaty duly ratified in triplicate, and on the following day it was formally presented to Lord Cornwallis by the captive sons of the Sultan.

The effect of this treaty was to bring the frontier of the Mahrattas to the river Toombuddra, which was their boundary about thirteen years before; to restore to Nizam Ali his territories north of that river, and the possession of Kurpa on its south; while the English obtained Malabar, Coorg, Dindigul, and Bâramahal, all of them cessions of considerable importance in adding to the strength and compactness of the Company's territories.

Still there is reason to lament that Tippoo Sultan should have been granted terms so favourable. They were not such as might have been expected from the language held by Lord Cornwallis previously to the negotiation. He had declared that to allow Tippoo to retain even a considerable portion of his power and possessions at the conclusion of the war, would only, instead of real peace, give us an armed truce, and that he would immediately reject any proposal of that nature; yet Lord Cornwallis left Tippoo in possession of a very considerable portion of his former power and possessions. The governor-general, however, qualified the declaration above referred to by adding, that if such concessions were offered as would put it out of the enemy's power to disturb the peace of India in future, he would suffer no prospects, however brilliant, to post-

CHAP. XIV.

pone the conclusion of a general peace.* Lord Cornwallis, therefore, did not meditate the total annihilation of Tippoo's power, but only such reduction of it as would deprive him of the ability to do mischief. Did he effect this? Did he insist on such terms as put it out of Tippoo's power to disturb the peace of India? In the progress of this narrative it will be seen that he did not. Perhaps no more injudicious course could have been taken than that pursued by Lord Cornwallis.

The humiliation and loss to which the Sultan was subjected would naturally influence his previous feelings of enmity, and he was left with the means of gratifying those feelings. Whether Lord Cornwallis was swayed by deference to the prevailing prejudices in England, in opposition to the dictates of his own judgment, or whether he participated in those prejudices, cannot be distinctly known. But whatever the motive, his choice was unfortunate. In defending it, he asserted that it would be more beneficial to the public interest than the capture of Seringapatam, and that it would render the final settlement with the allies more easy. The latter position it is difficult to understand. The former seems to confirm a report to which Sir Thomas Munro adverts, that Lord Cornwallis actually felt disinclined to effect the capture of Seringapatam, and had frequently exclaimed, "What shall I do with this place?" Sir Thomas Munro's comment

* These views were expressed by Lord Cornwallis in his correspondence with the government of Madras.

on this is replete with good sense: "I would have said, 'Keep it, as the best barrier you can have to your own countries.'"* The advice would have been sound, but it would then have been rejected, because not in accordance with the fashionable doctrine of moderation; a doctrine not only sanctioned by the suffrage of public opinion, but solemnly incorporated into the provisions of the law. The necessity which Lord Cornwallis had felt for deviating to a certain extent from the course of policy laid down for him, may well be supposed to have in some degree alarmed the champions of the popular creed. But the shock was transient, and it was, with an extent of faith worthy of a better object, still believed that the British government in India could maintain itself exactly in the position in which it then existed, without either gaining or losing an inch of territory or an atom of power. "The Indian government in England," says Sir John Malcolm, "had seen (perhaps with regret) that events which they had no power of controlling had forced Lord Cornwallis to an actual departure from that purposed system of forbearance and neutrality which they had believed practicable, and which they had so earnestly recommended to his attention; and that,

* Life, vol. i. page 131. Sir Thomas Munro adds some remarks, not less true than lively. "Every thing now is done by moderation and conciliation. At this rate, we shall be all Quakers in twenty years more. I am still of the old doctrine, that the best method of making all princes keep the peace, not excepting even Tippoo, is to make it dangerous for them to disturb your quiet."

CHAP. XIV.

in opposition to those views which they had taken of their interests, their territories had been greatly increased and their political relations much extended during his administration. The admission of that necessity which forced Lord Cornwallis into a course of measures so contrary to their wishes and policy, does not appear to have been followed by a conclusion that the same causes might again produce the same effect; and a general impression would appear at this period to have been received in England, that the exertions of that nobleman had placed the affairs of the Company on the true footing of security and strength which had been so long desired, and that nothing was requisite but mild, moderate, and conciliatory councils in the local authorities, to secure the lasting tranquillity and prosperity of the British possessions in India."*

In judging of the proceedings of Lord Cornwallis, due allowance should undoubtedly be made for the influence of the delusive state of feeling with regard to Indian affairs which was all but universal in England, and for the desire which the governor-general may be supposed to have entertained to offer to that feeling as little offence as possible. But one of the preliminary articles was so shamelessly and scandalously evaded, that no consideration of expediency ought to have been permitted to restrain the British government from expressing its indignation, and, if necessary, compelling by force the due execu-

* Sketch of the Political History of India, ed. 1811, pages 133, 134.

tion of the provision thus atrociously violated. It was provided that all prisoners from the time of Hyder Ali should be set at liberty. Tippoo had carried off a great number of prisoners from Coromandel, whom he had detained in violation of the treaty of 1784, and who, notwithstanding the conclusion of the subsequent treaty, were unable to regain their liberty except by stealth. These persons fled in considerable numbers, and were received by the English, but in a manner which seemed as though they were ashamed of performing this duty;* and no means were adopted to ascertain how many of these unhappy persons still remained within the tyrant's power. Some inquiry was made respecting the officers and soldiers taken during the war, but with regard even to them the English authorities appear to have been satisfied with whatever explanation it pleased the vakeels of Tippoo to give, although there was strong ground for suspecting that in several instances the missing parties had fallen victims to the

* "The shameless infraction of the treaty of 1784, with regard to the inhabitants of Coromandel, had been daily and constantly evinced during the whole period subsequent to the 6th of February. In consequence of confidential communication from these unhappy captives, Colonel Stuart had latterly appointed the southern redoubt for their resort by night; and it was an interesting spectacle at the dawn of every morning to see its whole circumference surrounded with men, women, and children, with their cattle and effects, who were passed over to the island before broad daylight, and forwarded by Lord Cornwallis's orders by the first escort, and with such aid as they required; and, notwithstanding the mortality which had thinned their numbers, many thousands were in this manner restored to their native homes."—Wilks's Historical Sketches, vol. iii. pp. 249, 250.

CHAP. XIV. Sultan's vengeance. Some of the followers of English camp who had been made prisoners returned after a time, each mutilated of a hand. These unfortunate men were shewn to the vakeels, who said, that they had been caught plundering, and that the barbarous punishment inflicted on them was without the Sultan's knowledge. The ignorance of the Sultan was indeed always pleaded to exonerate him from responsibility for the cruelties exercised under his authority. He, it was said, did not sanction them, and could not inquire into all the details of his government.* With such ready apologies as these the governor-general was content.

If, however, Lord Cornwallis failed in some points in which the national honour was materially concerned, he manifested great personal disinterestedness, by relinquishing for the benefit of the army his share of booty. The example was followed by General Medows; who, though he had proved himself unfit for the exercise of an independent command of importance, appears to have merited the character of a brave soldier and a generous man.†

* Major Dirom's Narrative, pages 235, 236.

† That he was free from professional jealousy, and little influenced by either ambition or avarice, is proved by the terms in which he spoke of Lord Cornwallis, whose presence superseded him in the chief command, and by the fact of his having declined to succeed that nobleman on his retiring from the government of Bengal. The following passage from his letter to the Court of Directors, on receiving this honourable offer, may attest his frankness, gallantry, candour, and moderation. "Though the elements, more faithful allies to Tippoo than either the Nizam's troops or the Mahrattas to us, have obliged us to defer the siege

As soon as the arrangements between the belligerents could be regarded as finally concluded, Lord Cornwallis became anxious to remove his army with all practicable speed from the pestilential spot which was rapidly consuming its strength. The governor-general arrived at Madras late in May, and in Bengal in July following. After his departure from Seringapatam, Tippoo assembled the chiefs of his army and the heads of departments, and informed them, that the contribution of three crores and thirty lacs, by which he had purchased the absence of the invaders, must be provided for at the joint cost of himself, the army, and the people at large.* His

A. D. 1792.

of Seringapatam, I still flatter myself it is only postponed, and not put off farther than from June to January; when, if he does not make a peace, which I take to be so much the interest of all parties, the loss of his capital, I hope and expect, will be soon followed by the loss of his kingdom. Lord Cornwallis, who sees every thing, who does every thing, and who is every thing, will, I hope, have the peace in such forwardness by January, as to enable me to go home with propriety, while he stays another year to complete the great and arduous undertaking he so happily began, has so nobly continued, and I have no doubt will so perfectly conclude, to his own honour and your satisfaction. But should things take another turn, and there should not be peace, though I beg leave to decline going to Bengal after January 1792, I will never quit this country till I have commanded the storming-party at Seringapatam, or until the war is over. When, after the handsome and independent fortune I shall have made in your service (I should guess about forty thousand pounds, but I will tell you the uttermost farthing the moment I know it), entirely by proper saving from your liberal appointments, if you shall think 'the labourer worthy of his hire,' I shall be most amply compensated."

* Colonel Wilks's Sketches, vol. iii. page 255.

CHAP. XIV. own share was, in the exercise of his royal grace and benignity, fixed at one crore and ten lacs—one-third of the entire amount. Sixty lacs were to be furnished by the army, as a nuzerana or gift—a donation bestowed as freely and with the same degree of good-will as was formerly in England the "benevolence," so called, in aid of the sovereign's necessities. The remaining one crore and sixty lacs were to be provided by the civil officers and the inhabitants generally. The mode of distributing this last share of the burden was left to the heads of the civil departments, who prudently endeavoured to relieve themselves as far as possible from its pressure. The accounts, however, were made up with all the strictness which was due to public decorum, and to the characters of the responsible parties who exercised control over them. Each civil officer was debited with the sum which in fairness he might be called upon to pay, and a corresponding entry of the discharge of the claim was made with due precision. Had the Sultân condescended to examine those records, he must have been delighted, not only by the accuracy with which they were made up, but by the severe exactness maintained by those who prepared them, in regard to their own contributions. But the books were false witnesses, and those by whom they were compiled paid nothing. Their shares were paid by an extra levy upon the inhabitants of each district beyond the amount of the nominal assessment. There was one inconvenience attending this ingenious operation. The great men,

with whom it originated, could not conceal the process from their official inferiors; the latter were not to be persuaded that those above them possessed any exclusive claim to the exercise of fraud and extortion—and it followed that, to secure impunity to themselves, the higher officers were obliged to connive at conduct similar to their own in every person engaged in the collection. It is not difficult to conceive what was the situation of a country thus plundered at the discretion of every revenue officer, from the chief who stood in the royal presence, to the lowest runner who conveyed to the miserable inhabitants the unwelcome order to deliver their cherished hoards. Under such a system, it is obviously impossible to ascertain how much was extorted from the suffering people; but it was generally believed that the sum far exceeded the whole amount which, according to the allotment made by the Sultan, they were called upon to pay. Yet, at the end of several years, a balance of sixty lacs still stood on the books of the treasury against the country. Torture in its most horrible forms was resorted to; but from utter destitution even torture could extort nothing; and that obstinate determination, which in the East so often accompanies and fortifies the love of money, not unfrequently defied the infliction. Such are the ordinary incidents of native governments; and it must be remembered, that of such governments, that of Tippoo was by no means the worst. With regard to the fulfilment of the pecuniary engagements of that prince with the allies, it will be

CHAP. XIV. sufficient, without entering into details, to state, that at the end of about two years its progress permitted the restoration of the two hostage princes to their father. They were accompanied by Captain Doveton; and Tippoo, in the exercise of that hatred to the English which long indulgence had rendered almost uncontrollable, hesitated whether he should admit the British officer to his presence. The question was submitted for the opinion of his councillors. They represented that the Sultan's refusal might excite suspicion, and that the Englishman might be amused with professions of friendship, while "whatever was in the heart might remain there." This sage and honest advice the Sultan followed. Captain Doveton was received with great courtesy, and personally surrendered his charge to the Sultan. Tippoo exhibited no emotion on recovering from captivity two persons who might be supposed so dear to him. His reception of them was far less warm and affectionate than that which they had met from Lord Cornwallis on being placed under his care.

The war with Tippoo was the great event of Lord Cornwallis's administration; and nothing of a similar nature occurred to deserve notice, except the capture of the French settlements in the year following that which had terminated the disputes with Mysore. The French revolution had lighted up the flames of war throughout Europe, and England had embarked in the struggle to chain the demon, whose avowed object was the destruction of all existing thrones,

institutions, and forms of government. The attention of the British governments in India was thus directed to the reduction of the possessions of France in that country, and they fell almost without an effort to maintain them. Lord Cornwallis hastened from Bengal to undertake the command of an expedition against Pondicherry; but no such difficulties or labours as were encountered by Sir Eyre Coote fell to the lot of the English when again the capital of the French possessions in India was summoned to surrender. No protracted siege—no formidable array of lines and batteries were required. Before the arrival of the governor-general the place had yielded to a British force under Colonel Braithwaite. This event took place in August, A. D. 1793. 1793. The reduction of the minor French settlements was effected with equal ease and celerity; and again, as had happened thirty-two years before, not a staff throughout the wide expanse of India was surmounted by the French flag; nor did a French soldier remain in the country, except as the servant of some native prince or the prisoner of the British government.

It now remains only to advert to the changes effected by Lord Cornwallis in the internal administration of the territories subject to the presidency of Bengal. It will be recollected that the dewanny or administration of the revenue and financial departments of the state had been bestowed on the East-India Company by the Mogul, and that the power had been formally assumed, although the condition

CHAP. XIV.

on which it was granted was not implicitly observed. From the weakness of the native governments, the Nizamut, or remaining powers of the state, passed at first covertly, and afterwards ostensibly, into the hands of the English, who thus became the sole rulers of a very extensive and eminently ill-governed territory. In all native states abuse is the rule, not the exception; and Bengal, under its later nabobs, might be taken as a type of the worst ordered. During the period of transition, when the old authority was rapidly falling into decay, and gathering round it the ordinary concomitants of weakness, contempt, and opposition, while that which was supplanting it had as yet neither the physical power nor the moral respect which are the growth of time—when no one precisely knew with whom any particular portion of authority resided, nor in what manner the rights and duties of government were apportioned between the tottering, sinking musnud of an indolent, effeminate, powerless prince, and the council chamber of the stranger merchants whom the course of events had so wonderfully associated with the destinies of Hindostan—when all was unsettled, indefinable, and precarious, the native policy, which prescribes that each man should secure to himself as large a portion as he can of the objects of human desire, without regard to the means employed or the personal claims of others, received an extraordinary measure of acceleration and strength. The state of the country with regard to the two great branches of administration, revenue and law, was briefly but comprehensively described

in two short passages of a letter addressed, during an early period of Hastings's administration, by the president and council of Bengal to the Court of Directors. With regard to revenue, it was observed that "the Nazims exacted what they could from the zemindars and great farmers of the revenue, whom they left at liberty to plunder all below, reserving to themselves the prerogative of plundering them in their turn when they were supposed to have enriched themselves with the spoils of the country." On the morality of this it is unnecessary to say a word; the misery engendered by it stands not in need of illustration; but the infatuation with which avarice sought to gratify its insatiate appetite by plundering all within its range, though sure that nothing could be retained—that equal avarice, armed with greater power, would compel a full surrender of the fruits of rapine, might afford opportunity for instructive remark were there place for it. All grades of revenue officers engaged in the work of plunder with an avidity which seemed to imply a conviction that they were working for their own benefit; yet none but the highest were able to keep what they gained. Such is the power of a passion which appears to defy not more the restraints of justice than the dictates of common sense—such is a picture of society in an Indian state, where the exercise of extortion is universal, but the enjoyment of its profits confined to a select and powerful few—where the plunderer of to-day is the victim of to-morrow—where the minor oppres-

CHAP. XIV.

sor plies his craft but to enrich his more dignified brethren, and endures a life of anxiety and guilt without recompense or alleviation.

With respect to the administration of justice, the situation of Bengal at the period alluded to was not less wretched than with regard to the collection of the revenue. The government reported that "the regular course was everywhere suspended; but every man exercised it, who had the power of compelling others to submit to his decisions." What it was that, in such a state of society, every man who had power dispensed to his neighbours, may readily be imagined. It will not be suspected that it was either justice or law. The administrator in this case, like the revenue officer, had no object but to promote his own interest. "Decisions," like other commodities, were marketable, and, in conformity with the custom of trade, were sold to the best bidder. Where any exception occurred, the volunteer administrator of what was called justice was actuated by personal motives of favour or revenge. These enormous abuses were tolerated too long; but at length a movement was made for their suppression, and, under the authority of instructions from home, Hastings exerted himself vigorously to introduce improvement. A board of revenue was established at the capital; European collectors, with native assistants, were appointed in the provinces;*

* European officers, called supervisors, had, for several years, been stationed in the provinces; but their principal employment had been to collect information, of which the government was greatly in need.

and certain members of the council were deputed to make circuits for the purpose of carrying the new arrangements into execution. In the judicial department, two principal courts, called the Sudder Dewanny Adawlut and the Sudder Nizamut Adawlut, were created, and civil and criminal courts of inferior jurisdiction were established throughout the provinces. Various changes took place subsequently, some of them at a very early period; but these it would be impossible even to mention without extending the notice of these transactions to an inconvenient length. One of the most important measures of Hastings's government was the effecting a revenue settlement for five years. Some excellent rules were at the same time propounded—it would be too much to say that they were enforced. Nuzzars, or free gifts, as they were called, were prohibited, and revenue officers were forbidden to hold farms. At the expiration of the five years the practice of annual settlement was again resorted to, and continued till the time of Lord Cornwallis.

That nobleman, soon after undertaking the office of governor-general, was furnished with copious instructions from the Court of Directors on the internal management of the country committed to his care. These instructions were marked by a decided leaning towards the class of functionaries called zemindars, the precise nature of whose connection with the land and the people has afforded subject for much dispute. The court censured the employment of farmers and persons having no permanent

CHAP. XIV. interest in the land in place of the zemindars; adverted to great defalcations which had taken place; and expressed their opinion that the most practicable method of avoiding such occurrences in future would be, to introduce a permanent settlement of the revenue on reasonable principles, such settlements to be made, in all practicable instances, with the zemindar; and in cases where he might be incapable of the trust, with a relation or agent of the zemindar, in preference to a farmer. But though it was proposed that the assessment should be ultimately fixed in perpetuity, it was determined that at first the settlement should be made for a term of years only; and in order that the views of the court might be carried into effect with precision, it was recommended that inquiry should be made into the rights and privileges of the zemindars and other landholders under the institutions of the Mogul or Hindoo governments, and the services they were bound to perform. The crowning measure of endowing any plan of settlement with perpetuity was reserved to the court. These instructions were issued in consequence of a clause in an act of parliament passed a few years before,* by which the Court of Directors were required to give orders for redressing the wrongs of "rajahs, zemindars, polygars, talookdars, and other native landholders." It is not unworthy of remark that the act only prescribes the establishment of permanent rules, for the regulation of tributes, rents, and services; but by the mode in which

* 24 Geo. 3, cap. 25.

the requisition was carried out in Bengal, the actual amount of tribute or rent assessed upon the land was permanently and unalterably fixed. This was obviously more than the act demanded.*

* The section of the act referred to runs thus :—"And whereas complaints have prevailed that divers rajahs, zemindars, polygars, talookdars, and other native landholders within the British territories in India, have been unjustly deprived of, or compelled to abandon or relinquish, their respective lands, jurisdictions, rights, and privileges, or that the tributes, rents, or services, required to be by them paid or performed, for their respective possessions, to the said United Company, are become grievous and oppressive; and whereas the principles of justice, and the honour of this country, require that such complaints should be forthwith inquired into and fully investigated, and, if founded in truth, effectually redressed: be it therefore enacted, that the Court of Directors of the said United Company shall, and they are hereby accordingly required forthwith to take the said matters into their serious consideration, and to adopt, take, and pursue, such methods for inquiring into the causes, foundation, and truth, of the said complaints, and for obtaining a full and perfect knowledge of the same, and of all circumstances relating thereto, as the said Court of Directors shall think best adapted for that purpose, and thereupon, according to the circumstances of the respective cases of the said rajahs, zemindars, polygars, talookdars, and other native landholders, to give orders and instructions to the several governments and presidencies in India, for effectually redressing, in such manner as shall be consistent with justice and the laws and customs of the country, all injuries and wrongs which the said rajahs, zemindars, polygars, talookdars, and other native landholders, may have sustained unjustly in the manner aforesaid, and for settling and establishing, upon principles of moderation and justice, according to the laws and constitution of India, the permanent rules by which their respective tributes, rents, and services, shall be in future rendered and paid to the said United Company, by the said rajahs, zemindars, polygars, talookdars, and other native landholders." The language of this section of the act indicates a striking want of acquaintance with the state of

CHAP. XIV.

If the home government construed somewhat liberally the intentions of the legislature, their governor-general was not slow in imitating their example in his method of dealing with his instructions. A settlement for ten years was made, preparatory to the irrevocable step which was to deprive the government for ever of any future claim upon the land. In the meantime some inquiry was instituted, in obedience to the commands of the court, into the rights and duties of the zemindars; but a very slight examination was sufficient to satisfy the governor-general. At the threshold of the inquiry lay the question—to whom did the property of the soil belong? On this point different opinions have ever been maintained, and all of them with some degree of plausibility. By some it has been held that in India the land has always been regarded as the property of the sovereign; by others, that in most parts of the country the persons called zemindars are the rightful proprietors; while by a third party it has been contended, that the great majority of cultivators have a permanent interest in the soil, and that the zemindar was only the officer through whom in many cases the claims of government were settled. These theoretical differences of opinion have given rise to others of a practical character,

India. The rules by which the claims of the Company upon the land were to be regulated are directed to be framed not only with regard to moderation and justice, but with respect to the laws and constitution of India. What law of India was referred to? What meaning could be attached to the words "constitution of India?"

as to the parties to be recognized by government in levying its claims upon the land—whether a settlement should be effected with a person called a zemindar, who is responsible for the whole assessment upon a given district, generally of considerable extent; with an association of persons occupying lands within a particular locality, termed a village, the inhabitants of which are connected by peculiar institutions; or with the individual cultivators, known in the language of the country by the name of ryots. These three modes of settlement are respectively described as the zemindary, the village, and the ryotwar systems; and the presumed advantages of each have been maintained with great zeal. But no difference on this point embarrassed the government of Lord Cornwallis. All the influential servants of the presidency appear to have agreed with the governor-general in the preference expressed by the home authorities for the zemindary system of settlement. On the right in the soil, the same unanimity did not prevail; but the governor-general cut short all inquiry by determining, certainly with great precipitancy, to recognize the right as residing exclusively in the zemindars. He not only affirmed his belief that it actually belonged to them, but declared that if it did not, it would be necessary to confer it upon them, or upon some other persons; as nothing, in his judgment, would be more pernicious than to regard the right as appertaining to the state. Lord Cornwallis either entirely overlooked, or chose to appear ignorant of, the possibility

CHAP. XIV. of other rights existing in connection with the land besides those of the government and the zemindar. Mr. Shore,* an able civil servant, recommended caution and further inquiry; but the governor-general seemed to think that his duty was not to inquire, but to act. The sanction of the home authorities for declaring perpetual the decennial settlement which had recently been made was asked
A. D. 1793. and obtained; and on the 22nd of March, 1793, the assessments made under that settlement were authoritatively proclaimed to be fixed for ever.

In India the great source of government revenue is, and ever has been, the land. If the state possess an exclusive property in the soil, it may obviously demand all that a landlord may claim under other circumstances, provided a necessity for levying so much exists. A landlord may justifiably take as rent the full annual value of an estate, after deducting the expenses of cultivation and the ordinary profit upon his tenant's capital; the state, however, having no demand for money except for the public service, ought to take no more than may be necessary for this purpose; but, if necessary, it may (if the only party having a right in the land) take a landlord's share. There is nothing extravagant in regarding the state as the original proprietor of the soil—in some countries all the land is avowedly held under the crown—but it is certain that in India there are numerous rights connected with the land, of very ancient standing, and deserving of

* Afterwards Lord Teignmouth.

all respect. These rights, however, do not interfere with the right of the state, whatever it may be; and the latter must from necessity remain indefinite. A portion of the produce of the land, or a money payment of a certain amount in place of it, is assigned to defray the charges of the state. Supposing it to be insufficient, what is to be done? Is the country to be overrun by a foreign enemy, or subjected to any other calamity, because the ordinary funds of the state are exhausted, and no power exists of levying more? Such a position is an absurdity. The necessity of the state must be paramount to every other consideration. Its right is illimitable—it rides over all other rights. For the legislature of a country to set bounds to its own power of levying taxes, however great may be the necessity for them, would be to decree that on the occurrence of any extraordinary circumstances of difficulty or danger the state should be dissolved. Various proportions of the produce of the land have been referred to as the share of the sovereign under the Mahometan and Hindoo laws; but no one can suppose that the conduct of princes of either creed was ever governed by these rules. There can be no doubt that they took what they chose, and in the majority of instances all that they could obtain. The English government was probably the first that ever practically imposed a limit on its demands, and undoubtedly the only one that ever declared that such limit should under no circumstances be exceeded. Whatever opinion may be entertained on the propriety of such a limitation,

CHAP. XIV. it is certain that the permanent settlement of Lord Cornwallis was concluded under the influence of an extraordinary degree of ignorance. Little was known of the tenure by which the lands were held; little of the various rights connected with them; little of their value or their capability of improvement. The effects were in many cases such as might have reasonably been expected, though widely different from those which Lord Cornwallis contemplated.

The provinces permanently settled have undoubtedly prospered: being among the richest and most fertile portions of the British dominions in India, it must be a perverse system of government indeed which could materially check their prosperity; but a vast mass of inconvenience and suffering is directly traceable to the haste with which the important measure of a permanent settlement was carried out. The rights of hereditary cultivators were sacrificed. From the default of the zemindars, from their incompetence, and from other causes, the office often became vested in the hands of persons whose character or position in society commanded no respect, and who used it only as an instrument of extortion. Lawsuits in consequence of these circumstances abounded, and the privations and penalties which follow in the train of litigation were frightfully multiplied.*

* The evils arising out of the permanent settlement have been noticed by several able and well-informed writers. The late Marquis of Hastings, in an elaborate minute recorded by him as governor-general, and which will be found in the Revenue Ap-

Changes affecting minor branches of the revenue were made by Lord Cornwallis, but the land so far

pendix to the Report of the Committee of the House of Commons, 1832, says:—"Among the questions connected with the operation of our system of revenue on the body of the people, there is a point which has been so strongly and so frequently forced upon me that I cannot refrain from laying my sentiments upon the subject before your honourable board. The situation of the village proprietors in large estates, in farms and jaghires, is such as to call loudly for the support of some legislative provision. This is a question which has not merely reference to the upper provinces; for within the circle of the perpetual settlement, the situation of this unfortunate class is yet more desperate; and though their cries for redress may have been stifled in many districts by their perceiving that uniform indisposition to attempt relieving them, which results from the difficulty of the operation, their sufferings have not, on that account, been less acute." After adverting to numerous instances, his lordship proceeds—"The cause of this is to be traced to the incorrectness of the principle assumed at the time of the perpetual settlement, when those with whom government entered into engagements were declared the sole proprietors of the soil. The under proprietors were considered to have no rights except such as might be conferred by *pottah* [lease], and there was no security for their obtaining these on reasonable terms, except an obviously empty injunction on the zemindar amicably to adjust and consolidate the amount of his claims. It is well known (and even if it were questionable, the practice of the provinces which have more lately fallen under our dominion would set the doubt at rest), that the cultivating zemindars [proprietary ryots] were, by a custom more ancient than all law, entitled to a certain share of the produce of their lands; and that the rest, whether collected by pergunnah zemindars or by the officers of government, was collected as the huk [tax or fee] of the circar. This indefeasible right of the cultivating proprietors to a fixed share was annihilated by our directing that pottahs should be executed for a money payment, in which all the claims of the zemindars should be consolidated. The under proprietor was thus left to the mercy of the zemindar, to whose demands there were no prescribed limits. The zemindar offered a pottah on

CHAP. XIV. transcends in importance all other sources of income, that a particular reference to those of inferior value

his own terms. If the under proprietor refused it he was ejected, and the courts supported the ejectment. If the under proprietor conceived that he could contest at law the procedure, a regular suit, under all the disadvantages to which he is known to be exposed, was his only resource; but when, after years of anxiety and of expense, the case was at last brought to a hearing, he lost his action, because it was proved that the pottah was offered and refused, and there was no criterion to which he could refer as a means of proving that the rate was exorbitant. The framers of the perpetual settlement declared their incompetency to fix any criterion for the adjustment of these disputes. The declaration stands recorded in our legislative code, and to the present day the omission has not been supplied. The consequence of the omission in the first instance was a perpetual litigation between the zemindars and the under proprietors, the former offering pottahs on their own terms, the latter not having forgotten that they possessed rights independent of all pottahs, and refusing demands they conceived unconscionable. When, at last, the revenue of government was affected by the confusion which ensued, without inquiring into the root of the evil, the legislature contented itself with arming those who were under engagements with the government with additional powers, so as to enable them to realize their demands in the first instance whether right or wrong; a procedure which unavoidably led to extreme and grievous oppression. * * * * * It has been urged, however, that though the rights of the former cultivating proprietors have been suffered by the regulations to pass away *sub silentio*, still as the zemindar and his tenants have reciprocal wants, their mutual necessities must drive them to an amicable adjustment. The reciprocity is not, however, so clear. The zemindar certainly cannot do without tenants; but he wants them upon his own terms, and he knows that if he can get rid of the hereditary proprietors who claim a right to terms independent of what he may vouchsafe to give, he will obtain the means of substituting men of his own; and such is the redundancy of the cultivating class, that there will never be a difficulty of procuring ryots to engage on terms only just sufficient to ensure bare maintenance to the

may be spared. Some notice, however, is demanded of the new machinery created for dis-

engager. If it were the intention of our regulations to deprive every class but the large proprietors who engaged with government of any share in the profits of the land, that effect has been fully accomplished in Bengal. No compensation can now be made for the injustice done to those who used to enjoy a share of these profits under the law of the empire, and under institutions anterior to all record, for the transfer of their property to the rajahs."

Colonel Galloway, writing upon this subject, says: " I have already given Lord Cornwallis credit for his benevolent intentions, yet it must be admitted there appears throughout the whole of his lordship's measures a precipitancy and a want of regard for ancient rights not easy to be accounted for. This is evident in most of his minutes. I select the following paragraph from that of the 18th of September, 1789. ' Although, however, I am not only of opinion that the zemindars have the best right, but from being persuaded that nothing could be so ruinous to the public interest as that the land should be retained as the property of government [never dreaming of the claim of the people], I am also convinced that, failing the claim of right of the zemindars, it would be necessary for the public good to grant a right of property in the soil to them, or to persons of other description. I think it unnecessary to enter into any discussion of the grounds upon which their right appears to be founded.' An avowal such as this was evidently beyond the power of the governor-general. It was evidently contrary to the law enacted by the Parliament of England. He was not to *grant* rights, but to *confirm* them, and to protect the people in their rights existing. It can therefore only be interpreted as a proof that his lordship did not intend that his benevolence should be restrained. The measures adopted at that period have more the appearance of those of a good and well-meaning person, accidentally placed at the head of a new nation, passing his first acts of legislation, than of one charged with the government of a people the very slaves of method, of rule, of habit, and of their institutions; whose very foibles, even absurdities, deserved consideration, because to them they are neither foibles nor absurdities, but matters of

CHAP. XIV. pensing civil and criminal justice. One of the most decided changes was the severance of judicial

importance. How then it so happened that their most sacred, most valuable rights should have been thus held as nothing, is indeed difficult to conceive. It was a blameable neglect of the interests of the people. The very first point to be inquired into was the claim to the soil, the right of property in which was to be *confirmed*, not *granted*. Mr. Grant argued in favour of the right of government; Mr. Shore, that of the zemindar; Lord Cornwallis despises all right, and fairly avows 'that he thinks it unnecessary to enter into the discussion of the right to the soil.' But the very first resolution of government framed by his lordship bound him to make this inquiry; for it says, 'resolved, that a new settlement be made *with the actual proprietors of the soil*,' &c. Now the Act of Parliament of 1784 completely recognizes the right of possession by the people according to the law of India, and that their tribute and rents should be fixed agreeably to that law. Before this final limitation of the revenue was made, however, it might well be supposed that those who did thus most rashly act, had by the most painful examination, research, and investigation, discovered data sufficient to enable them to make a fair settlement for a limited time. No such thing! Mr. Shore indeed urges this in the strongest terms. He says in his minute of June, 1789, 'We require first a knowledge of the rents paid by the ryots compared with the produce; 2nd, of the collections of the zemindars, and of their payments to government; 3rd, detailed accounts of the alienated lands, shewing the quantity, the grantor, grantee, dates of grants, the occupant, to see how far resumption can take place. All the material part of this information is wanting'!!! The information they possessed was not sufficient to warrant them in settling the bazaar duties of a village. Our knowledge of India was much too limited then, it is so now, to furnish data for an act so important. They knew not the resources of the country. They even discarded the documents that were pressed upon them by the head record-keeper, at the time, Mr. Grant, who had taken great pains to exhibit the sources and the amount of revenue levied by our predecessory governments of the provinces. They did not even know to whom the lands or property belonged."—Observations on the Law, and Constitution,

authority from that connected with the revenue. The power heretofore exercised by zemindars was

and present Government of India, by Lieutenant Colonel Galloway, 2nd edit. 1832, pages 175 to 177.

Sir Edward Colebrook (an advocate for a permanent settlement), in a minute recorded on the Bengal Consultations, in July, 1820, says: "The errors of the permanent settlement in Bengal were twofold: first, in the sacrifice of what may be denominated *the yeomanry*, by merging all village rights, whether of property or of occupancy, in the all-devouring recognition of the zemindar's permanent property in the soil; and secondly, in the sacrifice of the peasantry by one sweeping enactment, which left the zemindar to make his settlement with them on such terms as he might choose to require. Government indeed reserved to itself the power of legislating in favour of the tenants, but no such regulation has ever taken place; on the contrary, every subsequent enactment has been founded on the declared object of strengthening the zemindar's hands."

Sir Charles Metcalf, in a minute, 7th November, 1830, makes the following remarks:—"The Bengal permanent settlement was, in fact, the transfer of the landowners from the power of the government to the power of perpetual farmers, who, having no right in the soil themselves, or whatever right they may have had, if they had any, have been practically enabled by that settlement, against its professed design, to destroy or impair the rights of all landowners and landholders included within the large districts consigned to those farmers respectively."

The ability and information possessed by those from whom the above opinions are quoted command for them respectful attention; but such opinions have not been restricted to individuals—they have been held and expressed by the two authorities to whom the legislature has committed the administration of the government of India. In a letter addressed, in 1817, to the Chairman and Deputy Chairman of the East-India Company, by Mr. Canning, then President of the Board of Commissioners, the following four results are stated as points upon which an agreement had been established between the court and the board, after long correspondence and discussion:—"1st. That the system of 1793, though originating in the most enlightened views and the most

CHAP. XIV. taken away, and the European collectors were also deprived of their judicial character. For the ad-

benevolent motives, and though having produced considerable good, has nevertheless been attended in the course of its operation with no small portion of evil to the people for whose happiness it was intended. 2nd. That the same views and motives which dictated the original introduction of the permanent settlement twenty-five years ago, would not, after the experience which has been had of it, justify the immediate introduction of the same system into provinces for which a system of revenue administration has yet to be settled. 3rd. That the creation of an artificial class of intermediate proprietors between the government and the cultivators of the soil, where a class of intermediate proprietors does not exist in the native institutions of the country, would be highly inexpedient. 4th. That no conclusive step ought to be taken towards a final settlement of the yet unsettled provinces until it shall have been examined, and, if possible, ascertained by diligent research and comparison of collected testimonies, as well as by accurate survey of the lands to be settled, how far the principles of a system which would bring the government into immediate contact with the great body of the people can be practicably and usefully applied to them."

Quotations bearing witness to the mass of abuse and wrong inherent in the permanent settlement of 1793 might be greatly multiplied, but the above may be deemed sufficient to support the assertions in the text. The difficulty of ascertaining the various rights connected with the land appears to have been the cause which deterred Lord Cornwallis from undertaking the task. He felt that it must be a work of time, and his desire to create what he believed would be an independent landed aristocracy was too powerful to brook delay. He preferred the sacrifice of right to the mortification of suffering a favourite project to sleep. The difficulty of ascertaining the rights of parties, the probability that they vary in different districts, and the readiness of the principal zemindars to usurp the rights of their inferiors, are pointed out in part of the examination of Henry St. George Tucker, Esq., before the Committee of the House of Commons, 1832. In answer to a question, whether any detailed inquiry had been made in 1793, into the rights and properties of hereditary cultivators?

ministration of civil justice the governor-general and members of council were to form one chief

Mr. Tucker said—" If it be intended to ask whether there was a general classification of rights, either under the permanent settlement or by the regulations of 1793, I should say that no such classification was attempted; for my belief is, that the peasantry were upon a different footing in different provinces, and that it would have been extremely difficult to have ascertained precisely the rights of all parties, under usage or otherwise. With respect to Bengal proper, we have a timid and feeble peasantry, and I should very much doubt whether this peasantry ever obtained what may be called rights of property in the land. When we ascend to the western provinces, beginning with Behar and Benares, we find a different race of men, a bolder and more sturdy peasantry, men who may have acquired some rights in the land: in point of fact, the malic mocuddums and village zemindars of Behar, Benares, and the western provinces, have, I believe, rights; and in regard to Benares, I should say that those rights are recognized by the regulations of 1795. The zemindar of Benares for some time opposed the recognition of the rights of the village zemindars in that province when the permanent settlement was first undertaken by the late Mr. Duncan; but he, the rajah, afterwards waived his objection, and the settlement was finally made, with his concurrence, with the village zemindars. In the ceded and conquered provinces, where I was employed for a short period, and where I was deputed in 1807 for the purpose of forming a permanent settlement, one of my great difficulties arose from the uncertainty which appeared to me to exist with respect to landed tenures in that country. The superior landholder is there designated *talookdar*, and there were at the same time under him village zemindars, who appeared to me to have certain rights in the land, although the revenue was paid generally through the talookdar or principal landholder." So strong was the conviction of Mr. Tucker of the danger of sacrificing both private rights and public interests by a hasty and premature settlement to be made once and for ever, that although himself a distinguished advocate of the principle of a permanent settlement, he, together with his colleague holding the same opinion, felt bound to repre-

CHAP. XIV. court, called the Court of Sudder Dewanny Adawlut, which was to hear appeals and control the exercise

sent to the government that it would not be expedient then to carry into effect the object which the commissioners had been deputed to accomplish. These representations were received much in the spirit in which the suggestions of Mr. Shore were received by Lord Cornwallis. The government was well disposed to repeat the error of that nobleman, after a degree of experience which deprived them of all claim to benefit by the only excuse which can be offered for its first commission; but, happily, they were overruled from home.

The source of the misconception which prevailed with regard to the rights attached to the land was that which has produced so much error and so much mischief in other parts of the world as well as in India—the confounding words with things, and the regarding uniformity of name as indicative of uniformity of character or office. This frequent mistake is noticed in a dispatch addressed by the Court of Directors to the government of Bengal, 2nd January, 1829, in reference to some transactions in the western provinces. The court observe:—"In England there are names which carry with them the idea of certain definite rights, more especially in the land. The terms freeholder, copyholder, leaseholder, denote persons to whom an ascertained amount of rights belongs; and are terms which may in general be safely taken as evidence of such rights. Zemindar, mocuddum, malguzar, and other names, were found by our servants attached to parties in India having rights in the soil; and they applied to them the same sort of construction as that to which they were accustomed in regard to the names in England which do denote certain determinate rights in the land. The consequences were very unhappy. Wherever they found parties bearing any of the above-mentioned names, they supposed them to be owners of a certain fixed amount of rights; and when they were called upon to make an award, they too frequently made it in conformity with this anticipation: that is, they assumed those same names, zemindar, mocuddum, and so on, as being in themselves conclusive evidence of the existence of certain rights, without seeking any further evidence on the subject, or making the proper investigation of the case; and in that manner frequently awarded rights to parties which

of the power of the inferior courts. No appeal could be made to the Court of Sudder Dewanny

did not belong to them, while they necessarily by the same act took away from others the rights which were truly theirs. Among these prepossessions of the English functionaries none seem to have more frequently led them into errors than their free conceptions with regard to the parties who engage with government for the revenue payable from any portion of the land. In England, it generally happens that he who holds land immediately of the sovereign, and between whom and the sovereign there is no intermediate holder, has the full property in the land; and where there are other parties who have an interest in the same land, it is an interest held of the first party, and dependant upon his. The collectors and judges under our governments in India seem at first to have very generally proceeded upon a similar idea with respect to the party whom they found in the established practice of engaging with government for the assessment of the lands, whether of a village or any greater extent; that is, they regarded him as proprietor of the lands in their own sense of the word proprietor, and the interest of all the other inhabitants as included in his all-comprehending interest, and dependant upon it."

It is, perhaps, the general opinion, that we are slow in introducing improvement into our Indian possessions. But the truth is, that in the introduction of what has been called, and was meant to be, improvement, we have often been too precipitate. Some observations of Sir Thomas Munro, in a minute recorded on the consultations of the government of Madras, 31st December, 1824, are on this subject entirely in point. He says—"We are now masters of a very extensive empire, and we should endeavour to secure and improve it by a good internal administration. Our experience is too short to judge what rules are best calculated for this purpose. It is only within the last thirty years that we have here begun to acquire any practical knowledge; a longer period must probably elapse before we can ascertain what is best. Such a period is as nothing in the existence of a people; but we act as if this were as limited as the life of an individual. We proceed, in a country of which we know little or nothing, as if we knew every thing, and as if every thing must be done now and nothing could be done hereafter. We feel our ignorance of Indian revenue, and the difficulties arising from it; and instead of seeking

CHAP. XIV. Adawlut unless the sum in dispute amounted to one thousand rupees. The courts immediately under

to remedy it by acquiring more knowledge, we endeavour to get rid of the difficulty by precipitately making permanent settlements, which relieve us from the troublesome task of minute or accurate investigation, and which are better adapted to perpetuate our ignorance than to protect the people. We must not be led away by fanciful theories founded on European models, which will inevitably end in disappointment. We must not too hastily declare any rights permanent, lest we give to one class what belongs to another. We must proceed patiently; and as our knowledge of the manners and customs of the people and the nature and resources of the country increases, frame gradually from the existing institutions such a system as may advance the prosperity of the country and be satisfactory to the people. The knowledge most necessary for this end is that of the landed property and its assessment; for the land is not only the great source of the public revenue, but on its fair and moderate assessment depend the comfort and happiness of the people. * * * * * *
Our great error in this country, during a long course of years, has been too much precipitation in attempting to better the condition of the people, with hardly any knowledge of the means by which it was to be accomplished, and indeed without seeming to think that any other than good intentions were necessary. It is a dangerous system of government, in a country of which our knowledge is very imperfect, to be constantly urged by the desire of settling every thing permanently; to do every thing in a hurry, and in consequence wrong; and, in our zeal for permanency, to put the remedy out of our reach. The ruling vice of our government is innovation; and its innovation has been so little guided by a knowledge of the people, that though made after what was thought by us to be mature discussion, must appear to them as little better than the result of mere caprice. We have, in our anxiety to make every thing as English as possible, in a country which resembles England in nothing, attempted to create at once throughout extensive provinces a kind of landed property which has never existed in them; and in the pursuit of this object we have relinquished the rights which the sovereign always possessed in the soil; and we have in many cases deprived the real owners, the occupant ryots, of their proprietary rights, and

this were called provincial courts. Like that above them, they were courts of revision and appeal with relation to the courts below; but they were also, to a certain extent, courts of primary jurisdiction. In each of these courts were to be three judges, chosen from among the covenanted servants of the Company. They were empowered to try, in the first instance, such suits as should be transmitted to them for the purpose by government or the Court of Sudder Dewanny Adawlut, and to order their decision in such cases to be executed by the judges of the zillah or city courts; to receive original suits or complaints which any judge of the zillah or city courts had refused or neglected to entertain or proceed with, and to cause such judge to hear and determine such case; to receive petitions respecting matters depending in the courts below, and give directions therein to the judges in such courts; to receive any charges which might be preferred against the zillah or city judges for corruption, and forward them to the Court of Sudder Dewanny Adawlut, as well as to report to that court on any negligence or misconduct of such judges. They were also to hear appeals from the zillah courts if preferred within three months from the passing of the decree appealed against, or after that period, for sufficient reason. Whenever it should appear to a provincial court

bestowed them on zemindars and other imaginary landlords. Changes like these can never effect a permanent settlement in any country; they are rather calculated to unsettle whatever was before deemed permanent."

CHAP. XIV. that a suit had not been sufficiently investigated in the zillah court, they might either take such further evidence as they might deem necessary, and give judgment thereon, or remit the suit back to the zillah court with instructions. The decisions of the provincial courts were to be final for sums not exceeding one thousand rupees.

The next class of judicial establishments consisted of the zillah (or district) and city civil courts. Over each of these a European judge presided. He was assisted by a register, also a European covenanted servant, and in some cases by an assistant similarly qualified. As all questions relating to succession, inheritance, marriage, caste, and all usages and institutions of the like character, were to be decided by the Mahometan law with respect to Mahometans, and by the Hindoo law with regard to Hindoos, each court was provided with a native officer of each persuasion, presumed to be well versed in the principles of law as expounded in their respective creeds; these persons acting as assessors to the judge, who received their written opinions, and regulated his judgment accordingly. The pleadings were directed to be in writing, and to consist of, first, a plaint; secondly, an answer; thirdly, a reply; and fourthly, a rejoinder. If any thing material to the suit had been omitted, either in the plaint or answer, one supplemental pleading of each kind, but no more, was to be admitted. The pleadings might be written, at the option of the parties, either in Persian, Bengalee, or Hindoostanee. The pleadings

being completed, the courts were to proceed to hear evidence, either written or oral, and the latter was to be reduced to writing in one of the languages previously mentioned. The decree followed, and this it was provided should contain the name of every witness examined, the title of every paper read, and a statement of the amount or value of the property in dispute. These courts were empowered to take cognizance of all suits and complaints respecting the succession or right to real or personal property, land, rents, revenues, debts, accounts, contracts, marriage, caste, claims to damages for injuries, and generally all suits of a civil nature, if the property sought to be recovered, or the defendant against whom the suit was brought, were actually within the limits of the court's jurisdiction. Those limits were the same with the boundaries of the zillah or city in which the courts might be established. The power of these courts extended to all persons not British subjects, in the sense in which those words were then legally applied. European subjects of the King of Great Britain were consequently exempted; but it was provided that none excepting officers of the King's or the Company's army, or civil servants of the Company, should reside within the jurisdiction of any zillah or city court, at a greater distance than ten miles from Calcutta, without executing a bond rendering themselves amenable to the court for sums not exceeding five hundred rupees. European officers of the government, as well as native officers, were also declared amenable to the courts

CHAP. XIV. for acts done in their official capacity in breach of the regulations or laws enacted by the local government. Those regulations formed the code by which the decisions of the courts were to be guided, save in cases where the native law was permitted to operate. Where no specific rule might exist for their guidance, the judges were directed to act according to equity, justice, and good conscience. An appeal lay to the provincial courts in all suits without exception.

To relieve the zillah and city courts from part of the business supposed, from the inferior value of the matter in dispute, to be of inferior importance, the registers of those courts were empowered to hear and decide causes in which the amount or value of the thing at issue did not exceed two hundred rupees, liberty of appeal to the court to which the register was attached being in all cases reserved.*

Still further to relieve the zillah and city courts, as well as in the expectation, which in other countries has been so often held out and so seldom realized, of bringing substantial justice to every man's door, inferior judicatures were constituted, called courts of native commissioners. These commissioners were to exercise their functions in three different characters: as aumeens, or referees; as salis, or arbitrators; and as moonsiffs, or judges exercising original jurisdiction. Their authority was restricted to suits

* It will be recollected that the constitution and powers of the courts are described as they were established by Lord Cornwallis. They were soon subjected to modification.

in which the value of the thing in litigation did not exceed fifty rupees. They were to be nominated by the judges of the zillah and city courts, and to be approved by the Court of Sudder Dewanny Adawlut. To the latter court alone was given the power of removing them. The native commissioners were to be sworn to the administration of their duties, and to be liable to prosecution for corruption, or for oppressive and unwarranted acts of authority—an important provision in a country where judgment had been so long bought and sold. In their character of referees, the native commissioners were to try such causes as might be remitted to them by the zillah courts, proceeding in the manner prescribed for the conduct of suits in those courts. As arbitrators, they might decide disputes not brought before the court, provided the parties executed bonds, engaging to abide by the decision of the commissioners, and to make the award a decree of court. In no case were these commissioners to have the power of enforcing their own decrees. Monthly reports of causes decided, such reports being accompanied by all original documents, were to be made to the zillah court to which the commissioner was immediately subject, and that court was to enforce the decision reported, if not appealed against within thirty days; the power of appeal being subject to no other limitation.

In addition to the establishment of courts of various grades, and the distribution of business among them, it was attempted to improve the cha-

CHAP. XIV. racter of the vakeels or agents who might be employed in them. Previously, all that a suitor did not perform in his own person was committed either to some servant or dependent, or to men who were ready to transact any business for any person who would employ them, but who were not recognized by the courts, nor subject to any regulations. In the former case, the suitor was represented, and his interests maintained, by persons for the most part entirely ignorant of law of any description. In the latter, the amount of the advocate's knowledge seldom extended beyond a slight acquaintance with the ordinary forms of proceeding, and a familiarity with all the arts of chicane. It was proposed, therefore, to introduce a better class of vakeels, by ensuring the possession of some measure of qualification for the office which they undertook, and by subjecting them to due control. The appointment of these officers was vested in the Sudder Dewanny Adawlut. They were to be selected from the students in the Mahometan college at Calcutta and the Hindoo college at Benares. If these establishments were unable to supply the requisite number, any natives of good character and competent ability might be appointed. They were to be sworn to the due discharge of their duties, and to be remunerated according to a regulated table of fees. A small retaining fee was to be paid on the engagement of the vakeel; his subsequent emoluments were deferred till the termination of the suit, when he was to receive a commission on the amount involved,

varying from five per cent., upon the smaller sums, to one-half per cent., upon those of larger amount. They were liable to suspension by the court in which they practised for promoting or encouraging litigious suits, for fraud, or for gross misbehaviour of any kind. The suspension was to be reported to the Court of Sudder Dewanny Adawlut, by whom the vakeel might be either deprived of his privilege or fined.

Such were the main provisions for the administration of civil justice. In one respect the task of legislating for the exercise of criminal judicature was less embarrassed by difficulty. There was little or no conflict of laws, criminal proceedings having been almost universally conducted on the principles of the law of Mahomet. The Koran was necessarily the chief authority; the sayings of the Prophet, stored up in the memory of his followers and handed down by tradition—perhaps occasionally invented to answer existing emergencies—supplied some of the deficiences of the Koran, which were neither few nor unimportant; the opinions and judgments of learned Mahometans, cotemporaries with the Prophet, and who enjoyed the benefit of personal communication with him, formed another resource; and lastly, came reports of decided cases by judges of later date, who had ventured to exercise their own judgment where that of their predecessors afforded no guide. The law thus obtained was not of the best description, and its administration, it is unnecessary to say, was corrupt and venal. Hastings endeavoured to cor-

CHAP. XIV. rect some of the evils which existed both in the law and the judges, by subjecting both to the control of the British government. For eighteen months he personally exercised this control, but at the end of that period, the numerous demands upon his time and attention rendered it impracticable to continue the labour which he had imposed on himself, and the duty of watching and superintending the administration of criminal justice once more passed into Mahometan hands. Some years afterwards, the principal European officers in the revenue and civil departments were invested with a portion of magisterial authority, but the greater and more important portion of the duties connected with the restraint and punishment of crime was vested in the Naib Nazim and his subordinate officers. No further alteration was made till Lord Cornwallis submitted to his council proposals for amending both the law and the courts by which it was administered. The alterations proposed in the law were three:—First, that the criminality of homicide should be judged of not by the weapon or means used, but by the intention of the slayer, however discoverable. By this, a variety of curious and mischievous distinctions were got rid of. The second proposal was, that the heirs of a murdered person should not be permitted to prevent the punishment of the murderer—a privilege which the Mahometan law allowed. The third suggested the abolition of the barbarous punishment of mutilation, which the light of Mecca also tolerated, and the substitution in its place of imprisonment,

hard labour, or pecuniary fine. Christian and European feelings were thus brought to the improvement of the code of Mahomet in various important particulars. The proposals of the governor-general were adopted and embodied in regulations, which, however, manifested a singular tenderness towards the law which they were designed to improve. The authority of that law was still recognized—the native officer still expounded its decree for the information of the European judge; but the latter was forbidden, in certain cases, to act upon the opinion thus given. If the law of Mahomet prescribed mutilation of person for any offence, the officer declared that such was the will of the Prophet; but the punishment was not inflicted. It was commuted for a term of imprisonment, varying according to the degree of severity maintained by the law which was thus superseded. The threatened mulct of two limbs subjected the convict to double the term of imprisonment incurred by him whom the law of Mahomet would have deprived but of one. Again, in cases where the heir of a murdered person refused to prosecute, the native law officer was to be called upon to state what would have been the decree of the law had the heir been of sterner mind, and then the same sentence was to be passed as though the right to prosecute had not been waived. Further, the rules of evidence, according to the Mahometan law, were not altogether such as the British government approved. It did not, however, venture to interfere with the integrity of the holy code—the

CHAP. XIV. rules were left to be still solemnly enunciated by the native adviser of the court; but where the evidence of a witness was impugned by reason of his religion, the officer was called upon to say what would have been the decree of the law had this defect not existed—which being done, sentence was to be passed precisely as though it did not exist.

To put in motion this remarkable combination of Mahometan and European law, the means resorted to were nearly the same as those employed for civil proceedings. The governor-general and council formed a high court of revision and control, called the Sudder Nizamut Adawlut; the provincial courts were constituted courts of circuit within their respective localities, throughout which they were to make two gaol deliveries in each year; the zillah and city judges were to be magistrates exercising the usual authority of the office, both in regard to preliminary proceedings in criminal cases of importance and in the cognizance and punishment of petty offences.

Zemindars, and persons of similar condition, had formerly been responsible for the peace of the country, and whatever of police authority existed was exercised by them. From these duties they were now relieved. Each zillah was divided into police jurisdictions, superintended by a darogah, a native officer, who was empowered to receive charges of criminal offences, and to remit the accused to a magistrate, taking security for the appearance of the prosecutors and witnesses. The darogah was also authorized to apprehend vagrants and suspicious per-

sons. The village watchmen were declared subject to the orders of this functionary, and were required to give him all the assistance and information which they could afford.

The above sketch of the judicial arrangements of Lord Cornwallis may appear to possess little either of interest or instruction; but some notice of them was called for, first, because they were the earliest arrangements which could aspire to any higher character than that of temporary expedients; and, secondly, because it is upon the improvement of the internal government of the country that the reputation of Lord Cornwallis has, in a great degree, been rested. The effects of the important revenue change effected under his administration have been briefly noticed; the judicial changes could scarcely aggravate the evils previously existing, but they had perhaps little effect in abating them. The amount of power was altogether unequal to the labour to be performed—the number of European functionaries was too small—in many cases their acquaintance with Indian character too limited to allow of their doing much good, while the native agents were often, it is to be feared, too corrupt to effect any thing but evil. If it were an object of the change in the mode of administering civil justice to increase litigation, the plan certainly succeeded. Suits multiplied, till those who should have decided them looked at the files of their courts in despair, convinced that the life of man was insufficient to clear off the overwhelming mass of arrears. Parties who felt aggrieved, and

CHAP. XIV.

who saw themselves partially excluded from redress by law, sought it in a more summary manner, and breaches of the peace from this cause were frequent. It would be unjust to charge the whole of these evils upon the judicial plans of Lord Cornwallis. In a country which had long been without any settled or well-ordered judicial tribunals, wrongs would multiply, causes of complaint abound. If in connection with this consideration reference be had to the love of litigation which forms so prominent a part of the native character, it will be seen that the governor-general had no easy task to perform. His great error appears to have been that he did not duly appreciate the difficulty of that which he undertook to effect. Like most Indian reformers, he expected to do at once that which required a long series of years, and like most Indian reformers also, he evinced an unwise and unwarrantable disregard of native institutions. His police arrangements were thought to be inferior to those which they superseded, and in spite of all the provision made either for the punishment or the prevention of offences, crime continued to flourish with a luxuriance which shewed at once how deeply it had struck its roots in the soil, and how inadequate were the means provided by the governor-general for its eradication. Year after year some change was made in the system established by Lord Cornwallis; experiment succeeded experiment, each tending to confirm a truth of which European innovators have so often been forgetful, that it is impossible by a stroke of the

pen to change the character of a people, or to render either useful or popular, institutions not framed with due regard to national habits and peculiarities.

Lord Cornwallis did not return to Bengal after his visit to Madras, undertaken with a view of reducing the French settlements on the coast of Coromandel. He quitted India in August, 1793, and was succeeded as governor-general by Sir John Shore, a civil servant of the Company, who had been a member of council at Bengal, and who, it will be remembered, when the permanent settlement was in contemplation, had offered some suggestions for securing the rights of the inferior landholders, which Lord Cornwallis had disregarded. Sir John Shore was not a man of brilliant abilities, but he enjoyed, and justly, a high degree of the confidence of those whom he served. His reputation for knowledge in matters of Indian revenue was great, and his upright and honourable character universally admitted.

A.D. 1793.

The attention of the new governor-general was soon directed to the circumstances and position of the two powers in concert with whom his predecessor had undertaken the reduction of Mysore. By the treaty concluded by the three powers—the English, the Nizam, and the Mahrattas—previously to the commencement of the war with Tippoo, it was provided, that if after the conclusion of peace with that prince he should molest or attack either of the contracting parties, the others should join to punish him; but the mode and conditions of effect-

CHAP. XIV.

ing this object were left for future settlement. On the termination of the war, Lord Cornwallis had proposed the reduction of this conditional stipulation into a formal treaty of guarantee; but he was desirous of clogging the engagement with a condition which would without doubt have left either party at liberty to evade the performance of the treaty, and without much danger of incurring the imputation of bad faith. If one of the allies were attacked, the others were not to be bound to render assistance until they were convinced that justice was on their side, and that all measures of conciliation were fruitless; and, as no one can estimate the degree of conviction which operates on the mind of another, it must be obvious that such a treaty would have been to all practical purposes a nullity. If the allies of the party attacked thought it their interest to assist their neighbour, they would assist him, and this might be relied upon without any treaty. If their interests inclined them to take another course, they could deny the justice of the cause of their ally, and refuse to aid him. Still Lord Cornwallis must not be too hastily blamed for insisting upon an article which would have had the effect of neutralizing the engagement into which it was introduced. One of the parties with whom he had to deal was the Mahratta state, and Mahratta notions of right and wrong are endowed with such convenient flexibility, that it is quite impossible to estimate, with any approach to accuracy, whither a positive engagement to defend them may lead. The

Mahrattas had some demands for chout, both on Tippoo and the Nizam, which they did not mean to abandon; and the proposal of Lord Cornwallis was met by counter proposals—the Mahratta chiefs being anxious to obtain the assistance of the British to carry out their own views, but averse to any alliance which should impose upon them a necessity for peace and moderation. These proposals were distasteful alike to the Nizam and the British government, and the latter, after some protracted discussion, desisted from pressing the execution of any treaty whatever. The Nizam did not share in the reluctance of the Mahrattas to execute the proposed treaty; his interests and his wishes disposed him to seek British protection, however vague the conditions on which it was to be rendered. He represented that the failure of one of three parties to fulfil its engagements afforded no justification to the other two for the violation of theirs, and he urged the conclusion of the projected treaty before the departure of Lord Cornwallis from India, but in vain. That nobleman left the relations of the British government in this respect in a most unsatisfactory state, and Sir John Shore had to contend with difficulties from which his predecessor seems to have been glad to escape.

The long-impending storm at length burst. The Mahrattas attacked the Nizam. According to existing engagements, the British were not required to take arms in this case; both parties were their allies, and though generally bound to assist either

CHAP. XIV. against Tippoo, they were under no obligation to assist one against the other. But Tippoo was about to join the Mahrattas, and the Nizam had therefore, to all appearance, a claim to call for the assistance of his British allies. He did call for it, but without success. Sir John Shore on this occasion, while he evinced no extraordinary aptitude for the government of a great state, displayed a talent for casuistry which, if he had devoted himself to the legal profession, must have obtained for him a high reputation in the science of special pleading. He determined, that the alliance being tripartite, the secession of one party put an end to all obligations which it imposed upon the remaining two. He accordingly resolved to surrender the Nizam to the combined power of the treacherous Mahrattas, with whom fidelity is a word destitute of meaning, and of Tippoo, infuriated by recent degradation, and burning for revenge on those who had aided in subjecting him to it. The result, in one respect, was less disastrous than might have been anticipated. Tippoo was too much occupied at home to render active assistance to the Mahrattas; but the latter were sufficiently strong without his aid to reduce the Nizam to purchase peace on ignominious terms. Such was the policy of Sir John Shore—a man distinguished by many excellent qualities, but altogether out of his place in society as governor-general of the British possessions in India. He maintained an insecure and unstable peace, and the price paid for the equivocal advantage was the honour of the

country which he represented. "It may appear difficult," says Sir John Malcolm, "to fix the nature or extent of the exertions which a state would be warranted in making upon any occasion to maintain its reputation and character, because those are qualities of which the precise value can never be ascertained; but the history of every nation in the universe sufficiently proves that they have always been most cherished by states which were rising or in the zenith of their power, and only neglected by those which were in their decline or on the eve of dissolution. If this rule be just with regard to states in general, how much more must it apply to that extraordinary empire which the British nation has founded in the East! For there can be no doubt that empire is held solely by opinion; or, in other words, by that respect and awe with which the comparative superiority of our knowledge, justice, and system of rule have inspired the inhabitants of our own territories; and that confidence in our truth, reliance on our faith, and dread of our arms, which is impressed on every nation in India."*

The Nizam was greatly incensed by the conduct of the British government; and, on his return to Hyderabad, he intimated a desire to dispense with the services of two English battalions, which he subsidized, and which, being precluded from taking any part in the war with the Mahrattas, had been employed, while it continued, in maintaining the internal tranquillity of the Nizam's dominions.

* Sketch of the Political History of India, pp. 168, 169.

CHAP. XIV. The effects of the ultra-pacific policy of the governor-general now began to appear. The English corps, at the request of the Nizam, was withdrawn, and that prince, with a view to supply their place, immediately applied himself to increase and improve a large body of regular infantry, which constituted the main strength of his army, and was commanded by French officers. His attachment to the French was naturally strengthened by the hostile feelings engendered by the defection of his English ally, and the influence of the former power was aided by constant and exaggerated statements of the wonderful progress of the French arms in Europe. The British resident endeavoured to impress the Nizam with a sense of the inexpediency of the course which he was pursuing, but without effect. What effect, indeed, could have been expected from such representations under such circumstances? The governor-general himself addressed the Nizam, but to no better purpose; and Sir John Shore now found that the result of his policy had been to hand over the Nizam, his power and resources, from the English to the nation with which, in Europe, they were waging a war of unparalleled difficulty. Whatever may be the faults of the French people, it is certain that indifference to the power and glory of their country is not among them. M. Raymond, who commanded the force which has been referred to, was indefatigable in labouring to increase the influence of the French in the Deccan. His battalions carried the colours of the republic one and indivisible, and the

cap of liberty graced their buttons. A detachment was moved to Kurpa, near the British frontiers, and through the agency of its officers a mutiny was excited in a battalion of sepoys on the Madras establishment. A correspondence was opened with the French prisoners at Pondicherry, and no probable means neglected of once more establishing the French interest in India on the ruins of that of the English. All appearances boded ill for the latter power, and a crisis was obviously approaching when even the argumentative dexterity of the governor-general might be useless. It was averted by the occurrence of an event, unexpected alike by the Nizam, by the party which had foolishly lost his friendship, and by that which had succeeded them in possession of it. This was a rebellion excited by Ali Jah, the Nizam's son. The alarm this occasioned led not only to the recal of the detachment from Kurpa to be employed in suppressing the rebellion, but to an earnest appeal for the co-operation of the English government for the same object. The governor-general did not now hesitate. Assistance was promptly dispatched, but before it reached the scene of action M. Raymond had put down the rebellion and taken prisoner its author. Ali Jah released his father from all further apprehension on his account, by taking poison.

The judicious improvement of the opportunity afforded for manifesting a regard to the interests of the Nizam was not without effect, and the English influence at the court of Hyderabad might have been

CHAP. XIV. greatly strengthened, had not Sir John Shore been rendered insensible to every other consideration by his fear of offending the Mahrattas. Some English adventurers were encouraged to enter the Nizam's service, in the hope that they might be useful in counteracting the views of the French; but the scheme entirely failed, and the British government derived from this project little of either credit or advantage.

The progress of events, however, continued to be rather beneficial to the interests of the Nizam, and not unfavourable to those of the English. The Peishwa, in whose name several chiefs had so long carried on their own plans of personal advantage and aggrandizement, terminated his life by an act of self-destruction. A series of intrigues followed, in the course of which the Nizam had an opportunity of recommending himself to several of the parties engaged, and, in consequence, his principal minister, who had been given up as a hostage for the performance of some of the disgraceful conditions of the late peace, was set at liberty, and some territorial cessions extorted from the Nizam were relinquished. The passions and divisions of the Mahratta chieftains thus interposed in favour of the Nizam, whom his British ally would have left to be crushed by the powerful and unprincipled confederacy to which they belonged.

A. D. 1795. The year 1795 was marked by the death of the notorious Mahomet Ali, and the question how the affairs of his ill-governed dominions should in future

be administered, gave rise to a sharp dispute between the government of Madras, at the head of which was Lord Hobart, and the controlling government of Bengal. Lord Hobart, without previous communication with the governor-general, proposed to the successor of Mahomet Ali the cession of certain territories, with a view partly to the security of the Company's claims, and partly to the relief of the country from the frightful mass of oppression and abuse to which, under Mahomet Ali, it had been subjected. The views of the government of Bengal went further. They were desirous of obtaining the cession of the whole of the Nabob's territories. Thus far the object of the two governments differed only as to degree. But Lord Hobart was disposed to employ some degree of force to effect his object, while the government of Bengal were determined to carry it by negotiation, or not at all. The details of the dispute would now possess little interest. It may suffice to say, that the Nabob resolutely refused to comply, and compliance was not enforced. The prevailing abuses, therefore, not only continued but increased. It was indeed impossible for such a system to be stationary. If not abolished, it would inevitably grow and extend itself. Every form of rapine and extortion, every device by which usury could heap interest upon interest, every cruelty by which avarice could realize its golden hopes was practised, till the wretched inhabitants might almost have rejoiced in the irruption of a powerful enemy, and hailed as a deliverer any in-

CHAP. XIV. vader who would have relieved them from the weak, perfidious, and profligate government by which they were borne down. The Nabob asserted that he was unable to yield that which the British government demanded—that the host of natives and Europeans who benefited by the continuance of abuse were too strong for him. This, it will be obvious, was an idle excuse. Although he could have effected nothing without the aid of the British government, he might with their support have relieved his dominions from their oppressors; but he disliked the mode by which relief was to be obtained, and would not purchase protection for his subjects at the cost of gratifying the British government, which he hated. It was natural, indeed, that he should be reluctant to dispossess himself of power; but sovereignty in his hands was but a name—power he had none. The usurers of Madras were masters alike of him and his subjects, and heavily did the yoke press both on prince and people.

The same year which produced this abortive attempt to rescue some of the most valuable districts of the Carnatic from the ruthless grasp of those by whom they were desolated was signalized by the reduction of the Dutch settlements in India and the Indian seas—Ceylon, Malacca, Banda, Amboyna, Cochin. All except the last yielded after very slight resistance.

It has been seen that the policy of Sir John Shore was essentially quiescent. But besides the attack of the Dutch settlements, the necessity for

which was imposed upon the Indian government by the alliance of Holland with the revolutionary rulers of France, two events occurred in the northern parts of India which compelled the governor-general to depart from his ordinary plan of suffering affairs to take their own course. The first of them was the death of Fyzoolla Khan, the persevering Rohilla chief, whose resistance had wearied the Vizier into the confirmation of his jaghire, but whom Hastings engaged in concert with that prince to dispossess of his territories, although it subsequently appeared that he had no intention of carrying his engagement into effect.* Mahomed Ali, the eldest son of Fyzoolla Khan, claimed to succeed his father, and his claim was enforced by the Vizier, as well as recognized by the principal persons in the province. His younger brother, Gholam Mahomed, however, an ambitious and unprincipled man, raised a rebellion, made Mahomed Ali prisoner, and after a time murdered him. On these events becoming known to the governor-general, he felt, as might have been expected, that the honour of the British government required the intervention of their arms to suppress the rebellion raised by Gholam Mahomed, and avenge the treacherous murder of his brother. But the just indignation of Sir John Shore took a turn which, with reference to his mild and amiable character, was truly wonderful. He determined to punish, not only the usurper, but the entire family which the culprit had disgraced and injured—the innocent

* See page 319, et seq.

CHAP. XIV. with the guilty—by confiscating the jaghire granted to Fyzoolla Khan, and transferring the districts of which it consisted to the direct government of the Vizier. The justice of such a proceeding it would be difficult to vindicate, and it would be not less vain to attempt its defence on the ground of humanity. The dominions administered by Fyzoolla Khan were in a state of prosperity, broadly and strongly contrasting with the condition of the ill-governed and miserable territories of the Vizier, to whose wretched sway the governor-general proposed to commit them. The promptitude of Sir Robert Abercromby, the officer commanding the British force in Oude, prevented the full execution of this notable plan. Before the arrival of instructions from Calcutta, he had marched with part of the army of the Vizier against the rebel-chief. A battle was fought, in which the usurper was defeated. The Vizier benefited by the acquisition of considerable treasure; but a jaghire was granted to the infant son of the chief who had been so basely murdered. The rebel fratricide escaped with impunity.

The other event which roused the governor-general to action was connected also with the affairs of

A. D. 1797. Oude. In 1797 the Vizier Azoff-al-Dowlah died. He was succeeded by his reputed son, Vizier Ali, whose title, though impugned by the voice of rumour, was recognized by the British government. The grounds on which this recognition was afforded were the acknowledgment of Vizier Ali as his son by Azoff-al-Dowlah, an acknowledgment corrobo-

rated by various acts and declarations, and believed to be valid according to the Mahometan law; the acquiescence of the begum; and the apparent general consent of the inhabitants of Lucknow. A report hostile to the claims of Vizier Ali had indeed reached the governor-general, and in the same minute from which the above reasons are quoted*—in the same paragraph in which they appeared, and in the very next sentence to that in which they are enunciated, Sir John Shore speaks of its being the "popular belief"† that the birth of Vizier Ali was spurious. It is not easy to reconcile the facts of the popular belief being against his claim, and the governor-general being aware that such was the case, with the apparent general consent of the inhabitants of Lucknow in his favour, alleged in the preceding sentence, in justification of his recognition.

Notwithstanding the force ascribed by the governor-general to the reasons in favour of the claim of Vizier Ali, he was not at ease; and he left Calcutta to proceed to Oude, not, as he says, with any view to an alteration of the succession, but under the impression of a possibility "that the repugnance of the inhabitants of Oude to the title of Vizier Ali might be such as to force upon" him "the further consideration of it." At Cawnpore he was met by the minister of Oude, Hussein Reza Khan; and here, that which had been anticipated occurred.

* Recorded 13th January, 1798.

† In the succeeding paragraph the governor-general refers to it as "the universal belief and assertion."

CHAP. XIV. The consideration of the new Vizier's title was "forced" upon the attention of Sir John Shore, the minister declaring, without reserve, that there was but one opinion on the subject, that opinion being that the reigning prince and all his reputed brothers were spurious; and that Saadut Ali, the brother of the deceased Vizier, was the lawful successor to the musnud.

The minister, who had been instrumental in elevating Vizier Ali to a place which he now affirmed belonged to another, endeavoured to excuse his conduct by reference to the same circumstances which the governor-general pleaded in justification of his own. Saadut Ali, according to the report of this functionary, had but few hearty supporters, his extreme parsimony having rendered him unpopular, while the profuseness of Vizier Ali had conciliated the soldiery, who were far more readily influenced by the liberal dispensation of pay and gratuities than by any regard to the lawful claims of inheritance. Other information corroborated the report of the minister as to the Vizier Ali's want of title, and the governor-general resolved to prosecute inquiry, as far as was practicable without exciting suspicion, as to the birth of the reigning Vizier, and his brothers or reputed brothers, as well as into the popular belief on the subject. The result of his investigation as to the former point went to establish the following facts:—that the deceased prince was the father of two sons only, both of whom had died in infancy;—that he had been in the habit of pur-

chasing children and their mothers, and that the children thus acquired were, in various instances, acknowledged by him, and brought up as his own; —that the mother of the reigning prince was a menial servant of the lowest description, employed in the house of one of the Vizier's officers, at the monthly wages of four rupees;—that she was the parent of three sons, of whom the eldest was purchased by the Vizier for five hundred rupees, and received the name of Mahomed Ameer; the second, less fortunate, became a menial servant; while the third shared, and even surpassed, the good fortune of his elder brother, being in like manner purchased by Azoff-al-Dowlah for five hundred rupees, endowed with the name of Vizier Ali, acknowledged by the prince as his son, and heir to his dignity, and finally raised to the throne. It appeared that the younger begum, the wife of Azoff-al-Dowlah, had invariably refused to see Vizier Ali; —that having been requested by the Vizier to honour the nuptials of his heir, by allowing him to be introduced to her on the occasion, she had declined with civility; but at the same time declared to the officer who delivered the message, that she would not disgrace the dignity of her family by admitting such a person as Vizier Ali into her presence. All circumstances seem to have combined to discredit the claim of Vizier Ali except one — the elder begum, the mother of the deceased prince, supported the person thus denounced as an unjust pretender to the throne. This, however, cannot be re-

CHAP. XIV. garded as conclusive, or even strong evidence in his favour. In the impure atmosphere of an eastern court, regard to family honour is often sacrificed to personal motives.

The effect produced on the mind of the governor-general by the evidence which he was able to collect, is thus stated by himself:—"The result of the whole, in my opinion, is this,—that Vizier Ali, and all the reputed sons of the deceased Nabob, are undoubtedly spurious. The impressions which I received on this subject since my inquiries commenced are very different from those which I entertained in Calcutta. The parentage of Vizier Ali, as many of the persons to whom I have appealed observe, is not considered as any matter of delicacy in Lucknow. A supposition that he is the son of Azoff-al-Dowlah would have been treated with ridicule excepting by the partizans of the Nabob (Vizier Ali), or those who benefit by his follies and extravagance; and I could add many anecdotes to prove that Vizier Ali has often, previous to the death of Azoff-al-Dowlah, been reproached as the son of a Fraush, and that the Nabob frequently alluded to his base origin. His elevation to the musnud was a matter of surprise to persons of all ranks, and was even spoken of with contempt by the native troops at Cawnpore." After adverting to certain motives for declining to enter into the investigation at an earlier period, Sir John Shore continues:—"Feeling in all its force the impression of the popular belief of the spurious birth of Vizier Ali, and aware of all the conse-

quences to our political reputation and justice which might result from the acknowledgment of him as the successor of Azoff-al-Dowlah, I still was not authorized to make them the grounds of rejecting him, in opposition to the acknowledgment and declaration of his presumed father; whilst I felt equal repugnance to fix obloquy on the reputation of the deceased Nabob by an inquiry dictated by general rumours only. It is now no longer dubious that the repugnance to the admission of Vizier Ali's succession, after an interval of reflection, was general; that the acknowledgment of it by the Company excited surprise and disappointment; that it was esteemed both disgraceful and unjust, and that nothing but the support of the begum and of the Company would have suppressed the expression of that repugnance. That may now exist in a less degree, but the disgrace attached to our decision still remains. I conclude with repeating, that the prevailing opinion of the spurious birth of Vizier Ali was not a partial rumour originating in enmity or interest at his accession; that it has ever invariably and universally prevailed, in opposition to the acknowledgment of him as his son by the Nabob, Azoff-al-Dowlah, which never obtained credit with a single human being; and that the truth of it is now established by the clear, positive, and circumstantial evidence of Zehseen Ali Khan,* which carries with it the fullest conviction of its truth, as well from his character as from his situation, which

* The person in whose house the mother of Vizier Ali was a menial, and where he was born.

CHAP. XIV. enabled him, and him only, to have a personal knowledge of the circumstances which he has detailed. In his house Vizier Ali was born, and he paid the purchase-money for him to his mother. That evidence so clear was to be obtained was not indeed within the probability of expectation."*

Few unbiassed persons, after an examination of the evidence, will arrive at a conclusion different from that of the governor-general; yet it cannot but excite surprise that, with a resident at the court of Lucknow whose duty it was to watch and to report to the government which he represented every thing of the slightest public importance, the general disbelief of the claim of the recognized son of the sovereign to the inheritance for which he was destined should have been either unknown or disregarded by the British government. The latter, however, appears to have been the fact. Before the death of Azoff-al-Dowlah, the witness, on whose evidence Sir John Shore relied and acted, had communicated to the resident, part at least, of the facts which he afterwards opened more fully to the governor-general. Strange does it appear that they excited no greater degree of attention—that no particular investigation of them then took place—that all inquiry into the conflicting claims of candidates for the succession was postponed till it was necessary to decide at once between them; when, as was certainly far from improbable, the question was improperly determined. It argues little for the activity of the resident, or of the governor-general,

* Minute, 13th January, 1798.

that such should have been the fact. One or both must have deserved great blame. The most probable solution of the difficulty is, that Sir John Shore's almost invincible habit of leaving affairs to settle themselves led him to acquiesce in the recognition of a title which he could not but feel to be questionable, and this view is not inconsistent with his own language. The consideration of the question was at length, as he says, forced upon him; he took it up upon compulsion, but he investigated it with an earnest desire to discover the truth, and his decision was a sound and an honest one.

The elder begum, though she had supported Vizier Ali, had given offence by dissuading him from certain acts of indecorum and extravagance: and in return for the good advice expended on him, the Vizier recommended her withdrawal to Fyzabad. The English government, however, had found it expedient to intimate to the begum that her interference in public affairs might be dispensed with; and this communication tended to allay her resentment towards the Vizier and turn it on the English. Her chief adviser was a rich and powerful frequenter of the court of Lucknow, named Almas, who had long been regarded as a determined enemy to the influence of the British government. Almas, however, suddenly sought an interview with the native minister, whose communications had led to the inquiries instituted by Sir John Shore, and fell in with what he was satisfied was the course of the prevailing current, by making heavy complaints of

CHAP. XIV. Vizier Ali, whom he designated in terms the most opprobrious. He spoke of the baseness of the Vizier's birth, and the profligacy of his character; declared that the begum entirely disapproved of his conduct, and that it was the earnest wish, both of her and himself, that the reigning prince should be deposed, and his place supplied by one of two brothers of the late sovereign, whom he named, to the exclusion not only of all the reputed sons of Azoff-al-Dowlah, but also of Saadut Ali, the undoubted heir to the throne, if the children of the late Vizier were spurious. The minister recommended him to open his views to the governor-general, and to him he held language similar to that which he had previously employed. He subsequently repeated it in the presence of the officer in command of the British force in Oude; and these communications were important in preparing the way for that which was to follow, as they enabled the English authorities to obtain a distinct admission of Vizier Ali's defective title from the party most likely to defend it, in opposition to that of the rightful claimant. True it was that the begum and Almas supported other candidates, and not Saadut Ali, but the claim of Vizier Ali was abandoned by all capable of rendering efficient aid in upholding it. The strange succession of intrigues which had followed the death of Azoff-al-Dowlah are thus recounted by Sir John Shore: —"The preceding detail furnishes a history which has been rarely paralleled. Vizier Ali, without any title in the public estimation, was elevated to the

musnud by the selection of the begum, and act of the resident and minister. He was confirmed upon it by the acknowledgment of his title by the Company, and their declaration to support it. Without that acknowledgment and support he would have been opposed by Almas, whose influence over the begum would have gained her consent to his deposition. The declarations of Almas on his departure from Lucknow were equivalent to a renunciation of allegiance to the Vizier Ali, and his measures were so suspicious as to excite general alarm. Vizier Ali immediately began to act in opposition to the influence and interests of the Company, and the interference of the begum in the administration of affairs produced disorder. The begum and Vizier Ali were not then united. She censured and condemned his conduct; he felt sore under her control, and urged her departure to Fyzabad. An intimation to the begum to withdraw her interference united them, and under their union the most violent and insulting measures to the Company were adopted. The begum, from whatever motives, now disclaims Vizier Ali, as illegitimate* and unqualified; and proposed to depose the person of her choice, and transfer the succession to the sons of Shoojah-ad-Dowlah. The proposition is brought forward by Almas, who joins in it." This extraordinary succession of incidents gives occasion to a very character-

* This is not strictly correct: it was not alleged that Vizier Ali was illegitimate. It was denied that he was the son of Azoff-al-Dowlah at all.

CHAP. XIV. istic remark on the part of the governor-general: "If," says he, "the interests of the Company and humanity, the reputation of the Company for honour and justice, did not oppose the measure, my own feelings would have induced me to withdraw from a scene of so much embarrassment." He could not withdraw, but his mind appears to have been greatly divided as to the course which he should take. He seriously entertained the thought of continuing Vizier Ali on the throne, and endeavouring to control him through the begum. As a temptation to adopt this course, the begum had offered to make an addition to the annual subsidy. Such a plan would have given to her and her ally, Almas, all that they wished; but no one can believe that it would have been beneficial to the interests of the British government. Another mode which occurred to the mind of the governor-general was, to place the administration of the affairs of Oude directly under the control of the Company's government. But this, he observed could only continue during the minority of Vizier Ali (who was seventeen years of age), and he deemed such a plan open to weighty objections. With much hesitation, he chose the right course; and as his conduct was the result of deep and anxious consideration, the reasoning by which he was finally determined is deserving of notice. "The preceding statement of facts and information," said he, "suggested questions of very serious embarrassment. The course of my investigation into the birth of Vizier Ali had weakened or subverted all the grounds upon which our

acknowledgment of his title had been made: the acknowledgment of him as his son by the late Nabob—his birth in the harem*—the force of the Mahometan law in favour of that acknowledgment—the apparent satisfaction of the inhabitants at Lucknow at his elevation, and the decision of the elder begum in his favour. It proved, that if the succession to the musnud of Oude had been suspended during the first interval of surprise and confusion attending the sudden death of the Nabob Azoff-al-Dowlah, and if an appeal had been made to the unbiassed voice of the people as a jury, their verdict would have pronounced Vizier Ali, and all the sons of the late Nabob, spurious—destitute of any title to the musnud; and that the sons of Shoojah-ad-Dowlah had an undeniable right to it. The evidence of Zehseen established to my entire conviction the justice and truth of the public sentiment; and I had the mortification to learn that the reputation of the Company had suffered by an act which, in the opinion of all reputable people, had been no less disgraceful than unjust. It was impossible to silence these impressions by arguing that the government had not directly interfered in deciding upon the succession, since, in the opinion of all, Vizier Ali's elevation was considered an act of the English government; and it is certain that, without their acknowledgment and support, he could not have maintained his situa-

* Sir John Shore should have said his alleged birth in the harem. Vizier Ali was not born in the harem, but in the house of Zehseen Ali Khan.

CHAP. XIV.

tion. On the other hand, it might be argued, that the state of the case was now altered; that the Nabob having been acknowledged, and that acknowledgment confirmed, the question was no longer open to decision; that the discredit of the act had been incurred, and that the reputation of the Company would not now be restored by an act which, in the first instance, would have promoted it; that the public were in some degree reconciled to the succession of Vizier Ali, who had gained many partizans."

The objection above noticed is combated by the governor-general, after reference to precedent, by arguing, "that our acknowledgment of Vizier Ali in the first instance had been extorted by the urgency of the case, and that the more deliberate confirmation of it was made upon presumption which could not be set aside upon the evidence or information before us;—that the public sense of Vizier Ali's want of all title to the musnud had undergone no revolution, nor ever could;—that there is not a man living who ever believed him to be the son of Azoff-al-Dowlah, or to have a shadow of right to the musnud; on the contrary, that in Lucknow he is generally known to be the son of a Fraush; and if his future character should prove as abandoned as it promises to be, the disgrace attending his elevation to the musnud would be perpetuated;—that although many were now reconciled to his title from various motives—the support of the Company, his liberality, influence, interest, or indifference—that men of the most respectability, who were not biassed by such

motives, had not changed their sentiments upon it." The governor-general thus continues:—"The investiture of Vizier Ali, in the words of Abdul Lateef, was doubtless considered by all men of respectability as an act of injustice to the immediate descendants of Shoojah-ad-Dowlah, as the rightful heirs; and no one gave the Company credit for acting from motives of supposed justice, but all ascribed their acknowledgment of Vizier Ali to the political expectation of establishing a more easy and effective influence in Oude than they otherwise could. If so, with a certainty that the sentiments of Abdul Lateef were general, with evidence that they are well founded, the political reputation of the Company can only be restored by the establishment of a family in the musnud which in the universal opinion has an exclusive right to it. Wherever that opinion extends, the justice and reputation of the Company must be affected by confirming the succession of an empire to the son of a Fraush. If Saadut Ali has a right to the musnud, upon what grounds can we defend the denial of it? Whilst the presumption was in favour of Vizier Ali, we determined to maintain his title, not only against Saadut Ali, but against all opposition. That presumption is done away, and the right of Saadut Ali, as the representative of the family of Shoojah-ad-Dowlah, stands undeniable by justice and universal opinion. It may be argued that they are not bound to run the risk of hostilities in support of it; and the argument would be unanswerable if we could withdraw from

CHAP. XIV. all interference in the question, or if our interference did not amount to a denial of his right. The begum and Almas, by their admission that Vizier Ali has no title to the musnud, and by their proposition to invest Mirza Jungly,* on whatever principle it may be founded, have precluded themselves from all right of opposition to the claims of Saadut Ali. I do not mean to assert that they will not oppose his claim against the support of the English; but having admitted the superior right of Shoojah-ad-Dowlah's sons, their opposition to the representative of that family would prove a total dereliction of all regard to right and principle on their parts, and a determination to maintain their own interests against all opposition. On the other hand, as every act of injustice is the parent of more, we must not overlook the future possible consequences of denying that right to Saadut Ali, to which, in the opinion of all, his title stands good. We are so implicated in our connection with Oude, that we cannot withdraw from it, and we are so situated in it, that without a decisive influence in its administration we cannot have any security. The consequences of such a situation might be fatal if the government of the country were secretly hostile to us, and such, in my judgment, would be the situation of the Company under the administration of Vizier Ali, admitting that we could extort from him Allahabad, a pecuniary compensation, and an annual addition to the subsidy; he must be put under restrictions, the begum must

* A younger brother of Saadut Ali.

be compelled to relinquish all interference in the administration, and the power of Almas must be reduced; without this, which would be equivalent to taking the administration of government into our own hands, all attempts to improve the administration of the country and render the situation of the Company secure would be fruitless." After adverting to the difficulty of finding proper instruments for effecting this, the governor-general adds:—"The restrictions which must be imposed upon Vizier Ali would never be borne by him, but under a secret determination to embrace the first opportunity of shaking them off."

The above remarks contain much that admits of far wider application than the events which called them forth, and it is principally for this reason that they have been quoted at length. They contain an unanswerable justification of the course which the governor-general ultimately determined to pursue—granting the facts on which it was based, which indeed scarcely admitted of doubt. It is only to be lamented that these facts were not ascertained at an earlier period. After the series of arguments which have been quoted, Sir John Shore briefly adverted to some personal objections to his acting against Vizier Ali, grounded on their being on apparently amicable terms, and on the governor-general's dislike to all deception. It is impossible not to be struck with the delicacy of sentiment which these objections display, and equally impossible not to admire the determination with which they were van-

CHAP. XIV. quished by a sense of public duty. All the feelings and inclinations of Sir John Shore, but this one, disposed him to acquiesce in the existing state of things, but he did not yield to their influence. Saadut Ali was restored to his right through the agency of the British government, and the usurper compelled to withdraw to a private station, with an allowance for his support, proportioned, not to his natural place among men, but to that which he had for a time so strangely occupied. By the treaty which determined the relations of the new Vizier and the English, the annual subsidy was fixed at seventy-six lacs, and the fort of Allahabad surrendered to the latter power. The English force in Oude was to be ordinarily kept up to ten thousand, and if it at any time exceeded thirteen thousand, the Vizier was to pay for the number in excess; while, if it were allowed to fall below eight thousand, a proportionate deduction was to be made. Twelve lacs were to be paid to the English as compensation for the expense of placing Saadut Ali on the throne, and he was restrained from holding communication with any foreign state, employing any Europeans, or permitting any to settle in his dominions without the consent of his British ally.

Sir John Shore's administration presents nothing further for report. He was elevated to an Irish peerage by the title of Lord Teignmouth, and
A. D. 1798. quitted India in March, 1798.

END OF VOLUME II.

00104951

Digitized with financial assistance from the
Government of Maharashtra
on 05 October, 2018